

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 11, 2004

**ONE HUNDRED SIXTY-FOURTH SESSION DAY
FOUR HUNDRED SIXTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, March 11, 2004

The Assembly met at 10 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Francesca Vega reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 10:01 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 10:08 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

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

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Father Donal Burke, Order of the Friars Minor, Capuchin, from Our Lady of Angels Church, in Burlingame:

Almost 1500 years ago, St. Patrick allegedly wrote a prayer. Many of you could have written it yourselves. I'll pray it with you now:

May you always have:
God's Strength to direct you.
God's Power to protect you
God's Wisdom to guide you
God's Shield to guard you
God's Eye for discerning
God's Ear for hearing
God's Hand to uphold you
God's Road to pass over
God's Spirit to guide you

And now I'll say to you all—as we say in Gaelic,
“Slan Libh”—Goodbye.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, 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 Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

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

On legislative business: Assembly Members Calderon, Kehoe, and Oropeza.

To attend a funeral in the District: Assembly Member Wiggins.

EXPLANATIONS OF ABSENCE

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

March 8, 2004

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

Dear Mr. Speaker: I am writing today to request to be excused from Session on March 11, 2004 to attend legislative business in my district. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

March 10, 2004

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

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, March 11, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
 Seventy-sixth District

February 18, 2004

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

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, March 11, 2004, due to legislative business in my district.

Thank you for consideration of this request. Please contact my Chief of Staff, Toni Symonds, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
 Fifty-fifth District

COMMUNICATIONS

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

March 10, 2004

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

Dear Dotson: This is to advise you that I appointed Assemblymember John Laird to replace Assemblymember Christine Kehoe on the Assembly Rules Committee for the Thursday, March 11, 2004 hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

The following communication was presented by the Chief Clerk from:

Paul Helliker, Director, Department of Pesticide Regulation, dated March 5, 2004, relative to a delay in submitting a report on Well Sampling for Pesticide Active Ingredients (required pursuant to Food and Agricultural Section 13152).

Referred by the Speaker to the Committee on Agriculture.

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Michelle L. Levy, Senior Legal Analyst, Department of Justice, Office of the Attorney General, dated March 5, 2004, transmitting copies of the title, summary and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

Compensation for Injured Workers.**Limits on Eligibility for Benefits, Medical Treatment.****Initiative Constitutional Amendment and Statute. SA 2004RF0002**

Referred by the Speaker to the Committee on Insurance.

REPORTS

The following reports were presented by the Chief Clerk:

**Deceased Residents of State Hospitals and Developmental Centers
Patient Identification and Cemetery Restoration Status Update Report
(Pursuant to Senate Bill 1448, Chapter 440, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated March 1, 2004, referred by the Speaker to the Committee on Health.

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

Merced County, Department of Public Health, Lizabeth Smith, Support Services Analyst II, dated February 27, 2004;

County of Santa Cruz, Health Services Agency, Robert J. Varty, Medical Care Program Administrator, dated February 27, 2004;

Mariposa County Public Health Department, Charles B. Mosher, MD, MPH, Health Officer, dated March 2, 2004;

Solano County, Michael Frenn, EMS Administrator, dated March 8, 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:**

California State Personnel Board, Laura M. Aguilera, Acting Executive Officer, dated September 22, 2003;

Department of Pesticide Regulation, Paul Helliker, Director, dated January 13, 2004;

Office of the Treasurer, Hugo Lopez, Director, Administration Division, dated March 2, 2004.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2004

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

Assembly Bill No. 1805

Assembly Bill No. 1811

Assembly Bill No. 1831

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 11, 2004

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

Assembly Concurrent Resolution No. 152

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 11, 2004

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

Assembly Concurrent Resolution No. 190

Assembly Concurrent Resolution No. 192

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

SPECIAL COMMITTEE MEETINGS

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

Governmental Organization, on Thursday, March 18, 2004, in Room 4202;

Select Committee on Professional Sports, on Friday, March 19, 2004, at 10 a.m., in Los Angeles;

Joint Legislative Audit Committee, on Monday, April 19, 2004, upon adjournment of Floor Session, in Room 444;

Judiciary, on Tuesday, March 23, 2004, at 9 a.m., in Room 4202.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3072—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 17076 of, and to add Section 17049 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3073—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 23802 of the Revenue and Taxation Code, relating to taxation, to take effect immediately.

ASSEMBLY BILL NO. 3074—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 214.2 of the Revenue and Taxation Code, relating to property taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3075—Committee on Revenue and Taxation (Bermudez (Chair), Wyland (Vice Chair), Laird, and Leno). An act to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, and 214.14 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3076—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 22003 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 3077—Committee on Local Government (Salinas (Chair), Lieber (Vice Chair), Daucher, Garcia, La Suer, Leno, Mullin, Steinberg, and Wiggins). An act to amend Sections 54975, 56077, and 57120 of the Government Code, relating to local government reorganization.

ASSEMBLY BILL NO. 3078—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of the Code of Civil Procedure, relating to procedure.

ASSEMBLY BILL NO. 3079—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Sections 71622 and 72190 of, and to repeal Section 72407 of, the Government Code, relating to subordinate judicial officers.

ASSEMBLY BILL NO. 3080—Committee on Judiciary (Corbett (Chair), Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 3081—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, Pacheco, and Steinberg). An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

ASSEMBLY BILL NO. 3082—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, Pacheco, and Steinberg). An act to amend Sections 511.3, 853, 2241.5, 2260, 3651, 4052, 4311, 4409, 4980.90, 7026.1, 7028, 12107.1, 13570, 17529.1, 17538.45, 17550.30, 17593, 18824, 18897.73, 22575, and 25503.4 of the Business and Professions Code, to amend Sections 51.10, 56.26, 800.100, 1102.16, 1103, 1542, 1785.30, 1786.24, 1789.21, 1798.83, 1798.85, 1799.1b, 1812.701, 1865, 2945.3, 2982, 2985.8, and 2988.9 of, and to amend and renumber Sections 1747.8 and 1747.9 of, the Civil Code, to amend Sections 715.010, 995.640, 1021.8, 1563, 1822.60, and 2023 of the Code of Civil Procedure, to amend Sections 2207, 13401.5, and 14010 of, and to amend and renumber Section 17655 of, the Corporations Code, to amend Sections 8266.1, 8813, 8825, 17077.45, 17334, 17360, 22852, 22854, 27403, 32265, 42238.41, 44279.2, 44328, 44735, 44830.3, 47634, 48200.7, 49414.5, 49452.6, 52015, 52054, 52055.615, 52055.625, 52055.655, 52128, 60061.8, 60640, 64201, 66271.8, 67359.13, 88033, 89539.2, 94779, 94901, 94944, 94990, and 99235 of the Education Code, to amend Sections 11105, 14310, and 18541 of the Elections Code, to amend Sections 917 and 956.5 of the Evidence Code, to amend Sections 4962 and 17600 of the Family Code, to amend Sections 216.3, 258, 645, 690, 777.5, 867, 1753, 1807, 1908, 3804, 14401, and 50122 of the Financial Code, to amend Sections 206, 1570, 1572, 1613, 7149.2, 7361, 7362, and 12011 of the Fish and Game Code, to amend Sections 6047.4, 6047.82, 27680, 27681, 27686, 27690, 30801, 52489, 65520, 66572, 66663, 74028, 78302, and 78690 of the Food and Agricultural Code, to amend Sections 912.8, 1091.4, 6254, 6254.17, 7072, 8220, 8592.4, 8869.84, 8880.325, 10205.1, 12012.30, 12080.3, 12598, 13995.20, 13995.40, 13995.42, 13995.58, 13995.65, 13995.74, 13997.1, 14055.2, 18215, 19063.1, 19582.1, 19826, 20035.2, 20035.3, 20035.4, 20035.10, 20235, 22013.97, 22825.12, 25358, 29550, 30061, 31520.5, 31755, 31762, 31776.3, 50061, 53088.2, 53895.5, 54222, 63049.4, 65919, 68085.5, 68086, 69927, 71806, 71828, 77202, and 95000 of, and to amend and renumber Sections 6215 and 20035.5 of, the Government Code, to amend Sections 138.6, 444.20, 1255, 1367.04, 1375.7, 1569.30, 1569.70, 1596.816, 1794.04, 11758, 13108.5, 17037.5, 17921.9, 17991, 25117.4.1,

25121.3, 25160.6, 25184.1, 25201.1, 25210.6, 25360.6, 25501, 32111, 33320.8, 33492.40, 39011.5, 39614, 39661, 40500.5, 40724.6, 41514.1, 41855.6, 50517.9, 51615, 53533, 101625, 104558, 106010, 115005, 121010, 127670, 127671, 127760, and 128401 of, to amend the heading of Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of, and to amend and renumber Sections 35987, 35988, 35989, 35990, and 35991 of, the Health and Safety Code, to amend Sections 881, 1063.53, 1067.08, 1104.9, 1280.7, 1776, 1861.025, 10113.2, 10133.56, 10133.8, 10178.4, 10764, 12144, 12671, 12693.55, 12975.7, 12975.8 of, and to amend and renumber Section 10089.45 of, the Insurance Code, to amend Sections 98.2, 141, 143.2, 2140.5, 2160.1, 2190, 2190.2, 2200, 2210, 3099, 3600.1, and 7304 of, and to amend and renumber Section 4610 of, the Labor Code, to amend Sections 186.8, 330b, 330.7, 597b, 597c, 1372, 1463.010, 6245, 11171, 11502, 12021, and 13864 of the Penal Code, to amend Sections 858, 6242, 19403, 20114.5, and 21320 of the Probate Code, to amend Sections 6106.5 and 10295.3 of the Public Contract Code, to amend Sections 2755, 2802, 3305, 3324, 5079.50, 14509.3, 14552.5, 14581, 30610.3, 36725, 40000, 41732, 42330, 42463, 42475.2, 45000, 45010, 50000, and 71210 of, and to amend the headings of Article 1 (commencing with Section 32630), Article 2 (commencing with Section 32633), Article 3 (commencing with Section 3269), Article 4 (commencing with Section 32657), and Article 5 (commencing with Section 32661) of Division 22.9 of, the Public Resources Code, to amend Sections 280.5, 353.2, 372, 374, 377.2, 379.6, 396, 399.12, 1701.3, and 21670.1 of the Public Utilities Code, to amend Sections 97.313, 155.20, 3691.6, 6077, 6361.1, 9405, 17132.6, 18407, 19164, 19179, 19777, 23036, 23736.1, 46622, and 55337 of the Revenue and Taxation Code, to amend Sections 104.7, 3114.5, 5101, 8833, 10100.2, and 31071 of the Streets and Highways Code, to amend Sections 2610, 3305, and 10200 of the Unemployment Insurance Code, to amend Sections 2813.5, 3072, 9250.13, 9400.1, 9400.3, 9951, 11515.2, 12509, 22100, 25803, 31032.1, 34620, and 35401.7 of the Vehicle Code, to amend Sections 1552, 13269, 13368, 13387, 13610, 13611, 13611.5, 36153, 72303, 78688, 79532, and 79561.5 of, and to amend and renumber Section 12749.95 of the Water Code, to amend Sections 779, 1000.7, 1703, 5657, 7200.06, 10063, 11025, 11052.5, 11373, 11468.6, 14016.5, 14043.75, 14087.6, 14105.981, 14123.25, 14132.22, 14133.3, 14148.91, 14408, 15657, 15657.03, 16121.05, 16501.6, and 18358 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 68 of, and Section 13 of Chapter 673 of, the Statutes of 2003, relating to the maintenance of the codes.

ASSEMBLY BILL NO. 3083—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, La Suer, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act to amend Section 19540 of, and to add Sections 19411.1, 19411.2, and 19412.1 to, the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 3084—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, La Suer, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act relating to tribal gaming.

ASSEMBLY BILL NO. 3085—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to repeal Section 23323 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 3086—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 23356 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 3087—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Corbett, Dutra, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act relating to emergency services.

ASSEMBLY BILL NO. 3088—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 8549.11 of the Government Code, relating to emergency response.

ASSEMBLY BILL NO. 3089—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Strickland, Wiggins, and Wyland). An act to amend Section 12715 of the Government Code, relating to tribal gaming.

ASSEMBLY BILL NO. 3090—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Canciamilla, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act relating to homeland security.

ASSEMBLY BILL NO. 3091—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

ASSEMBLY BILL NO. 3092—Committee on Governmental Organization (Jerome Horton (Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, and Wiggins). An act to amend Section 308 of the Penal Code, relating to cigarettes.

ASSEMBLY BILL NO. 3093—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 22971.1 of the Business and Professions Code, relating to tobacco products.

ASSEMBLY BILL NO. 3094—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Sections 7480 and 21267 of the Government Code, relating to retirement systems.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 29—Harman, Lowenthal, and Richman (Coauthors: Bates, Benoit, Berg, Canciamilla, Daucher, Dutra, Shirley Horton, La Malfa, Liu, Matthews, Negrete McLeod, Plescia, and Wolk). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 193—Liu (Principal coauthor: Senator Scott). Relative to higher education.

ASSEMBLY CONCURRENT RESOLUTION NO. 194—Chu. (Coauthors: Bates, Berg, Chan, Cohn, Corbett, Daucher, Garcia, Goldberg, Hancock, Jackson, Kehoe, Lieber, Liu, Matthews, Montanez, Oropeza, Pavley, Reyes, Runner, and Wolk) (Coauthors: Senators Alpert, Bowen, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Ortiz, Romero, and Soto). Relative to Sexual Assault Awareness Month.

ASSEMBLY JOINT RESOLUTION NO. 69—Matthews and Maldonado (Principal coauthors: Senators Machado and Poochigian). Relative to specialty crops.

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>
1887	B. & P.
1916	Rev. & Tax. and L. Gov.
1961	Jud.
1970	L. Gov. and H. & C.D.
1997	Higher Ed.
2055	L. Gov. and Nat. Res.
2092	B. & F.
2093	E.S. & T.M.
2097	Rev. & Tax.
2132	Ed. and Health
2137	Jud.
2138	B. & P.
2144	Rev. & Tax.
2147	Ins.
2158	L. Gov. and H. & C.D.
2170	B. & P.
2227	J., E.D. & E.
2264	L. Gov. and H. & C.D.
2348	L. Gov. and H. & C.D.
2351	H. & C.D.
2367	Ed. and Health
2393	Health
2414	Hum. S. and Health
2415	P.E.,R. & S.S.
2506	E.S. & T.M.
2515	L. Gov. and H. & C.D.
2536	Jud.
2541	B. & P.
2577	U. & C.
2585	Nat. Res.
2588	Health and Jud.
2607	E.,R. & C.A. and Jud.
2613	B. & P.
2630	L. Gov.
2672	E.S. & T.M.
2700	B. & P.
2701	E.S. & T.M. and Nat. Res.
2702	L. Gov. and H. & C.D.
2705	Pub. S.
2706	Ed.
2710	Higher Ed.
2711	P.E.,R. & S.S.
2712	Health
2713	Jud.
2716	Health
2717	W.,P. & W. and L. Gov.
2718	H. & C.D. and Jud.
2720	Health
2721	Trans.

2722	-----	Rev. & Tax.
2724	-----	Higher Ed.
2725	-----	Nat. Res.
2727	-----	Ed. and Higher Ed.
2728	-----	Ed. and Higher Ed.
2729	-----	Jud.
2730	-----	Ins.
2732	-----	E.S. & T.M.
2733	-----	W.,P. & W.
2734	-----	W.,P. & W.
2735	-----	A.,E.,S.,T. & I.M. and Pub. S.
2736	-----	P.E.,R. & S.S.
2737	-----	Jud.
2739	-----	V.A.
2740	-----	Trans.
2744	-----	Ed.
2745	-----	Agri.
2748	-----	E.,R. & C.A.
2751	-----	Ed.
2752	-----	B. & F.
2753	-----	P.E.,R. & S.S.
2756	-----	Ed.
2757	-----	Ed.
2758	-----	U. & C.
2759	-----	Health
2760	-----	W.,P. & W.
2762	-----	Nat. Res.
2763	-----	Health
2764	-----	Ed. and Higher Ed.
2765	-----	Ed.
2768	-----	U. & C.
2769	-----	Health
2770	-----	Ins.
2771	-----	Ins.
2772	-----	Ins.
2773	-----	P.E.,R. & S.S. and Ins.
2774	-----	Hum. S.
2775	-----	Hum. S.
2776	-----	Ed.
2778	-----	Higher Ed.
2779	-----	L. Gov.
2780	-----	Ins.
2781	-----	Ed.
2782	-----	L. Gov.
2783	-----	Health
2784	-----	Trans. and L. Gov.
2785	-----	Trans.
2790	-----	E.,R. & C.A.
2792	-----	Rev. & Tax.
2793	-----	B. & P.
2794	-----	Rev. & Tax.
2795	-----	Hum. S.
2799	-----	U. & C.
2801	-----	Rev. & Tax.

2802	-----	Rev. & Tax.
2806	-----	Jud.
2807	-----	Jud. and Hum. S.
2809	-----	Nat. Res.
2810	-----	Nat. Res.
2812	-----	Jud.
2813	-----	Rev. & Tax.
2814	-----	Nat. Res.
2815	-----	Pub. S.
2818	-----	E.,R. & C.A.
2819	-----	Jud.
2820	-----	Aging & L.T.C. and Health
2822	-----	Aging & L.T.C. and Health
2823	-----	Trans.
2825	-----	Higher Ed.
2826	-----	Nat. Res.
2828	-----	Pub. S.
2829	-----	Pub. S.
2830	-----	Nat. Res.
2831	-----	U. & C.
2832	-----	L. & E.
2833	-----	Higher Ed.
2834	-----	W.,P. & W. and E.S. & T.M.
2836	-----	H. & C.D.
2838	-----	H. & C.D.
2841	-----	Ed.
2842	-----	E.,R. & C.A.
2844	-----	Trans.
2845	-----	Ed.
2846	-----	Rev. & Tax.
2849	-----	Higher Ed.

*Assembly Concurrent**Resolution No.**Committee*

187	-----	P.,E.,R. & S.S.
188	-----	Rls.
189	-----	Trans.

AUTHOR'S AMENDMENTS**Committee on Judiciary**

March 11, 2004

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

Assembly Bill No. 1895

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

CORBETT, Chair

ASSEMBLY BILL NO. 1895—An act to amend Sections 317, 634, and 727 of, and to add Section 366.31 to, the Welfare and Institutions Code, relating to immigrant children.

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

AUTHOR'S AMENDMENTS
Committee on Education

March 11, 2004

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1790

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 1790—An act to add Article 13 (commencing with Section 17079) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 11, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Concurrent Resolution No. 178

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

JACKSON, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Relative to the Compressed Air Foam System (CAFS).

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 1814
Assembly Bill No. 1884

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

LENO, Chair

ASSEMBLY BILL NO. 1814—An act to amend Section 487 of the Penal Code, relating to theft.

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

ASSEMBLY BILL NO. 1884—An act to amend Section 633 of the Penal Code, relating to privacy.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 1801

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

LENO, Chair

ASSEMBLY BILL NO. 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Joint Resolution No. 56

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

LENO, Chair

ASSEMBLY JOINT RESOLUTION NO. 56—Relative to the extension of the 1994 ban on assault weapons.

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

REQUEST FOR PHOTOGRAPHER

Assembly Members Dymally and Mullin were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

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

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 707 be removed from the inactive file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 1844 be re-referred from the Committee on Health to the Committee on Public Safety.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 192
BY UNANIMOUS CONSENT**

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 192 out of order, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 192 (Mullin)—Relative to Irish-American Heritage Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 192**

Assembly Member Mullin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 192.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 192, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 192, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 192—Relative to Irish-American Heritage Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

RECESS

By unanimous consent, at 10:24 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

In recognition of Irish-American Heritage Day, Assembly Members Mullin and Corbett introduced the following members of the Kennelly School of Irish Dance, whereupon they performed for the assemblage: Lisa Anderson, Molly Yeigh, Addie Sherman, Nikki Wardlaw, Aaron Johnson, Clara Mello, Samantha Mello, Molly Ingram, Noel Ingram, Kylie Bridge, Logan Bridge, Caelie Fish, Maddie Benton, Jake Wallrich, Hannah Wallrich, and Libby Grotewohl; and Abby Hawkeswood, dance coordinator; Geraldine O'Connor, District Director; and Jane O'Connor, of South San Francisco.

Assembly Member Dymally introduced the following delegation: The Honorable Dr. Mose P. Tjitendero, MP, Speaker of the Federal Republic of Namibia; Mrs. Sandra Tjitendero; Mr. Haroldt H. Urub, Minister Counselor, Deputy Chief of Mission, Embassy of the Republic of Namibia; and Mr. Gerson H. Kamatuka, Special Assistant to the Speaker.

RECONVENED

At 10:34 a.m., the Assembly reconvened.

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

CONSIDERATION OF SENATE BILL NO. 31 BY UNANIMOUS CONSENT

Assembly Member Correa was granted unanimous consent to take up Senate Bill No. 31 out of order, for purpose of amendment.

SENATE BILL NO. 31 (Figueroa)—An act to amend Section 7197 of, and to add Sections 7196.2, 7197.5, and 7198.5 to, the Business and Professions Code, relating to home inspections.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Assembly Rule 69(d) Suspended

Assembly Member Correa was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 31, as amended, without reference to file.

SENATE BILL NO. 31 (Perata)—An act to amend Section 1789.35 of the Civil Code, relating to deferred deposit transactions, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

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

NOES—None

Bill ordered transmitted to the Senate.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 279 be removed from the inactive file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 871 be re-referred from the Committee on Appropriations to the Committee on Transportation.

REQUEST TO RESCIND ACTION ON SENATE BILL NO. 403

Assembly Member Frommer requested unanimous consent to rescind the action whereby Senate Bill No. 403 was passed and ordered transmitted to the Senate.

Assembly Member Cogdill withheld unanimous consent.

Motion to Rescind Action on Senate Bill No. 403

Assembly Member Frommer moved that the action be rescinded whereby the Assembly, on September 10, 2003 (Assembly Journal, page 3745), passed Senate Bill No. 403, and whereby the bill was ordered transmitted to the Senate.

Assembly Member Reyes seconded the motion.

Motion carried by the following vote:

AYES—42

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Koretz	Nakano	Wesson
Correa	Laird	Nation	Yee
Diaz	Leno	Negrete McLeod	Mr. Speaker
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—32

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

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 the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 190 (McCarthy)—Relative to emergency medical services.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 190**

Assembly Member McCarthy was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 190.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member McCarthy was granted unanimous consent to take up Assembly Concurrent Resolution No. 190, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 190, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 190—Relative to emergency medical services.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

HOUSE RESOLUTION NO. 44 (Matthews)—Relative to National Agriculture Week and National Agriculture Day.

Resolution read.

Members Made Coauthors of House Resolution No. 44

Assembly Member Matthews was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 44.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Campbell, Canciamilla, Chan, Chavez, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Pavley, Plescia, Richman, Ridley-Thomas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Wesson, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Matthews was granted unanimous consent to take up House Resolution No. 44, as amended, without reference to print or file.

Consideration of House Resolution No. 44, as Amended

HOUSE RESOLUTION NO. 44—Relative to National Agriculture Week and National Agriculture Day.

Resolution read, as amended, and adopted.

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 174 (Kehoe)—Relative to Arts Education Month.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 176 (Bogh)—Relative to George Washington's birthday.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

ASSEMBLY CONCURRENT RESOLUTION NO. 181 (McCarthy)—Relative to National Anthem Day.

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 resolutions on the Consent Calendar adopted, by the following vote:

AYES—71

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

NOES—None

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 Hon. Alan Short who served in the California State Senate from 1955 to 1974.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robbie D. Hall, of Arcadia.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following schedule:

Monday, March 15th—Floor Session, 11 a.m.;

Tuesday, March 16th and Wednesday, March 17th, No Session;

Thursday, March 18th—Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Al Chiurazzi, of Laguna Niguel; and Sigmund Hau, of San Juan Capistrano.

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 David Castro, of Hayward.

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 Klarisa Petrosian, and Armond and Vrezh Khudabakhshyan, of Burbank.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peggy B. Harding and Larry Glenn, of Glendora.

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 Phillip Apffel, of Redwood City.

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 Aaron Joseph Berhell II, of Benicia; Norma Ann Difuntorum, of Fairfield; Morrie Lippman, of Davis; John L. McKim, of Suisun City; John Allen Moger, of Woodland; and Robert A. Payne, of Woodland.

MOTION TO ADJOURN

At 10:57 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Ridley-Thomas, Mountjoy and Vargas arose to speak on the condition of the file.

MOTION TO ADJOURN WITHDRAWN

Assembly Member Frommer withdrew his motion to adjourn, with the consent of the second to the motion.

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER GOLDBERG

Assembly Member Cohn was joined by Members in expressing congratulations to Assembly Member Goldberg on the occasion of her recent marriage.

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

ASSEMBLY BILL NO. 806 (Wiggins)—An act to amend Section 19134 of the Government Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Spitzer, without objection.

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, and adopted by the following vote:

AYES—66

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Campbell	Goldberg	Maldonado	Samuelian
Canciamilla	Hancock	Maze	Simitian
Chan	Harman	McCarthy	Spitzer
Chavez	Horton, Jerome	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wesson
Correa	Koretz	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

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

AYES—66

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Campbell	Goldberg	Maldonado	Samuelian
Canciamilla	Hancock	Maze	Simitian
Chan	Harman	McCarthy	Spitzer
Chavez	Horton, Jerome	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wesson
Correa	Koretz	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Above bill ordered enrolled immediately.

VOTE ADDS

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

Senate Bill No. 31 and Urgency: Corbett and Houston—Aye.

Senate Bill No. 403, Motion by Frommer: Houston—No.

Assembly Bill No. 806, Urgency and Concurrence: Bates and Bermudez—Aye.

MOTION TO ADJOURN

At 11:12 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:13 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 11, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 186

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolution ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2004

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

Assembly Bill No. 806

And reports the same correctly enrolled, and presented to the Governor on the 11th day of March, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, March 15, 2004, out of respect to the memory of Hon. Alan Short, on motion of Assembly Member Matthews; out of respect to the memory of Robbie D. Hall, on motion of Assembly Member Mountjoy; out of respect to the memory of Al Chiurazzi and Sigmund Hau, on motion of Assembly Member Bates; out of respect to the memory of David Castro, on motion of Assembly Member Corbett; out of respect to the memory of Klarisa Petrosian and Armond and Vrezh Khudabakhshyan, on motion of Assembly Member Frommer; out of respect to the memory of Peggy B. Harding and Larry Glenn, on motion of Assembly Member Mountjoy; out of respect to the memory of Phillip Apffel, on motion of Assembly Member Simitian; and out of respect to the memory of Aaron Joseph Berhell II, Norma Ann Difuntorum, Morrie Lippman, John L. McKim, John Allen Moger, and Robert A. Payne, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 11, 2004**

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

AB RN

1790 0405352
1801 0406432
1814 0406357
1884 0406419
1895 0406157

ACR RN

178 0405853

AJR RN

56 0406168

SB RN

31 0406214

Daily Total: 8
Cumulative Total: 3194

O