

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 22, 2004

**ONE HUNDRED SIXTY-SEVENTH SESSION DAY
FOUR HUNDRED SEVENTY-SEVENTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, March 22, 2004

The Assembly met at 11 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 11 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 11:12 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—74:

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

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Abbot Shi Tong Xin, of the Shaolin Temple, in China:

心 經

HEART SUTRA

觀自在菩薩 行深般若波羅蜜多時

KUAN TSE TSAI PU SA SHING SHEN BO JE PO LO MI DO SHIH

Avalokitesvara Bodhisattva while contemplating profoundly the Prajna Paramita,

照見五蘊皆空 度一切苦厄

CHAO CHIEN WU YUN CHIEH KUN DU YI CHIEH KU ERH

Realized that the five Skandhas are empty, and thus he was able to overcome all sufferings,

舍利子 色不異空 空不異色

SHER LI TZE SER BU YI KUNG KUNG BU YI SER

Sariputra, form is not different from Emptiness, Emptiness is not different from form,

色即是空 空即是色

SER CHI SHIH KUNG KUNG CHI SHIH SER

Form is in fact Emptiness, and Emptiness is in fact Form

受想行識 亦復如是

SHOU SHIANG SHING SHIH YI FU ZU SHIH

The same is of feeling, conception, impulse and consciousness.

舍利子 是諸法空相

SHER LI TZE SHIH CHU FA KUNG SHIANG

Sariputra, Emptiness is the nature of all Dharmas,

不生不滅 不垢不淨 不增不減

BU SHENG BU MIEH BU KOU BU CHING BU TSENG BU CHIEN

It can neither be created nor annihilated, polluted nor cleansed, increased nor decreased,

是故空中無色 無受想行識

SHIH KUI KUNG CHUNG WU SER WU SHOU SHIANG SHING SHIH

Therefore, in Emptiness there is no form, no feeling, conception, impulse or consciousness,

無眼耳鼻舌身意 無色聲香味觸法

WU YEN ERH BI SHER SHEN YI WUI SER SHENG SHIANG WEI CHU FA

No eye, ear, nose, tongue, body or mind; no form, sound, smell, taste, touch or conception

無眼界 乃至無意識界

WU YEN CHIEH NAI CHIH WUI YI SHIH CHIEH

No object of eye to the realm of consciousness,

無無明 以無無明盡 乃至無老死 亦無老死盡

WU WU MING YI WUI WUI MING CHIN NAI CHIH WUI LAO SHIH YI 'U

LAO SHIH CHIN

No ignorance, nor its extinction; no aging and no death, nor their cessation,

無苦集滅道 無智亦無得

WU KU CHI MIEH DAO WU CHICH YI WU DER

No suffering, causes, cessation, nor the path; no wisdom with nothing to attain.

以無所得故 菩提薩埵

YI WUI SO DER DU PU TI SA TO

As there is nothing to attain,

依般若波羅蜜多故 心無罣礙

YI BO JE PO LO MI DO KU SHIN WUI KUA AI

A Bodhisattva that relies on the Prajna Pramita has neither worry nor obstruction,

無罣礙故 無有恐怖

WU KUA AI KU WU YO KUNG BU

Without worry and obstruction, there is no fear,

遠離顛倒夢想 究竟涅槃

YUAN LI DIEN DAO MONG SHIANG CHIU CHING NEIH PAN

Away from confusion, daydreaming, and thus reaches Nirvana.

三世諸佛 依般若波羅蜜多故

SAN SHIH CHU FO YI BO JE PO LO MI DO KU

Buddhas of the past, present and future, also rely on the Prajna Paramita,

得阿耨多羅三藐三菩提

DER O NOU DO O SAN MIAO SAN PU TI

To attain Supreme Enlightenment.

故知般若波羅蜜多 是大神咒

KU CHIH BO JE PO LO MI DO SHIH DA SHEN CHO

Thus, one should know that Prajna Paramita is the great mantra,

是大明咒 是無上咒

SHIH DA MING CHO SHIH WUI SHANG CHO

The mantra of illumination, the supreme of all mantras.

是無等等咒 能除一切苦

SHIH WUI DENG DENG CHO NENG CHU YI CHIEH KU

It is unequalled and able to emancipate all sufferings.

真實不虛 故說般若波羅蜜多咒

CHEN SHIH BUI SHU KU SHO BO JE BO LO MI DO CHO

This is true and not false. Thus proclaim, the Prajna Paramita Mantra,

即說咒曰 揭諦 揭諦 波羅揭諦

CHI SHO CHO YUEH CHIEH DI CHIEH DI PO LO CHIEH DI

Saying thus, "Gate, Gate, Paragate,

波羅僧揭諦 菩提薩婆訶

PO LO SHENG CHIEH DI PU TI SA PO HO

Parasamgate, Bodhi svaha".

PLEDGE OF ALLEGIANCE TO THE FLAG

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

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 Dymally and Montanez.

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

To attend a funeral: Assembly Member Leno.

Because of illness in his family: Assembly Member Nation.

Due to travel delays: Assembly Member Plescia.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 22, 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 legislative Session on Monday, March 22, 2004, due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

MERVYN M. DYMALLY, Assembly Member
Fifty-second District

March 9, 2004

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

Dear Mr. Speaker: I respectfully request to be excused from Floor and Check-In Session from March 19 through March 27 on legislative business.

If there are any questions or concerns, please feel free to contact my Chief of Staff, Jo-Ellen McChesney, at 319-2039.

Sincerely,

CINDY MONTAÑEZ, Assembly Member
Thirty-ninth District

COMMUNICATIONS

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

March 19, 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 Lloyd Levine to replace Assemblymember Cindy Montanez on the Assembly Judiciary Committee for Tuesday, March 23rd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 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 Mark Ridley-Thomas to replace Assemblymember Mark Leno on the Assembly Revenue and Taxation Committee for the Monday, March 22nd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

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

Dear Dotson: Please be advised that I have appointed Assemblymember Marco Firebaugh to replace Assemblymember Carol Liu on the Assembly Transportation Committee for the Monday, March 22 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

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

RE: Designation of Edward Caldwell
to California Earthquake Insurance Authority Governing Board

Dear Mr. Wilson: Please be advised I have selected Mr. Edward Caldwell to the California Earthquake Insurance Authority Governing Board. This is a pleasure appointment starting March 19, 2004. Mr. Caldwell will be replacing Ms. Fredericka McGee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

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

RE: Appointment of Lynn Daucher
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lynn Daucher to the State Allocation Board. This is a pleasure appointment starting March 19, 2004. Assemblymember Daucher will be replacing Assemblymember Tony Strickland.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

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

RE: Appointment of Lois Wolk
to Sacramento-San Joaquin Delta Protection Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lois Wolk to the Sacramento-San Joaquin Delta Protection Commission. This is a term appointment starting March 19, 2004 and the expiration date is March 19, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

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

Dear Dotson: Please be advised that I have made the following changes to Assembly standing and subcommittees for the 2003–04 Regular Session:

Aging and Long-Term Care Committee: I have removed Assemblymember Sally Lieber as a member of the committee, reducing the size of the committee from 6 to 5.

Agriculture Committee: I have removed Assemblymembers Sarah Reyes and Ken Maddox from the committee, reducing the size of the committee from 12 to 10 members.

Appropriations Committee: I have removed Assemblymembers Manny Diaz, Abel Maldonado, Robert Pacheco, Samuelian and Joe Simitian, eliminated the two Democratic vacancies from the committee and have added Assemblymembers Rick Keene, Jenny Oropeza and Herb Wesson, Jr., reducing the size of the committee from 25 to 21 members.

Arts, Entertainment, Sports, Tourism, and Internet Media Committee: I have removed Assemblymembers Russ Bogh, Joe Canciamilla, Marco Firebaugh, Dario Frommer, Christine Kehoe and Keith Richman, reducing the size of the committee from 19 to 13.

Banking and Finance Committee: I have removed Assemblymembers Wilma Chan and Tony Strickland and have added Assemblymember Gloria Negrete McLeod, reducing the size of the committee from 13 to 12 members.

Budget Committee: I have removed Assemblymembers John Campbell and Cindy Montanez, and have appointed Assemblymember John Laird to fill the Democratic vacancy and Assemblymember Sally Lieber to replace Assemblymember Montanez, reducing the size of the committee from 31 to 30 members.

Budget Subcommittee No. 1 on Health and Human Services: I have appointed Assemblymember John Laird as a member of the committee. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 2 on Education Finance: I have removed Assemblymember Canciamilla, creating a Democratic vacancy on the committee. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 3 on Resources: I have removed Assemblymember Cindy Montanez and the Republican vacancy and have appointed Assemblymembers Sally Lieber and Dave Cogdill. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 4 on State Administration: I have appointed Assemblymembers Rudy Bermudez, John Benoit and George Plescia and have removed Assemblymembers Dave Cogdill and Rick Keene. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 5 on Information Technology/Transportation: I have appointed Assemblymembers Loni Hancock and Bill Maze to replace Assemblymembers John Dutra and John Benoit. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Business and Professions Committee: I have removed Assemblymember Mark Wyland and added Assemblymember Gloria Negrete McLeod.

Education Committee: No change.

Elections, Redistricting and Constitutional Amendments: No change.

Environmental Safety and Toxic Materials: I have appointed Assemblymembers Loni Hancock and Tim Leslie to replace Assemblymembers Sally Lieber and Ken Maddox.

Governmental Organization Committee: I have removed Assemblymembers Carol Liu, Sarah Reyes, Steve Samuelian and Tony Strickland and have appointed Assemblymember Herb Wesson, Jr. to fill the Democratic vacancy and appointed Assemblymembers Dennis Mountjoy and Doug La Malfa to the committee, reducing the size of the committee from 26 to 24 members.

Health Committee: I have removed Assemblymembers Patricia Bates, Judy Chu, Jackie Goldberg, Ray Haynes, Bill Maze, Robert Pacheco and Leland Yee from the committee, reducing the size from 25 to 18 members.

Higher Education Committee: I have removed Assemblymembers Patty Berg, Russ Bogh, Mervyn Dymally and Alan Nakanishi from the committee, reducing the size from 11 to 7 members.

Housing and Community Development Committee: No change.

Human Services Committee: No change.

Insurance Committee: I have appointed Assemblymembers Rebecca Cohn, Dave Cox and Mark Wyland to replace Assemblymembers Sally Lieber, John Campbell and Bob Dutton and have removed Assemblymembers Ed Chavez and Ken Maddox from the committee, reducing the size of the committee from 19 to 17 members.

Jobs, Economic Development, and the Economy Committee: I have removed Assemblymembers Hannah-Beth Jackson and Greg Aghazarian from the committee, reducing the size from 11 to 9 members.

Judiciary Committee: I have removed Assemblymembers Loni Hancock, Robert Pacheco and one Democratic vacancy from the committee, reducing the size from 14 to 11 members.

Labor and Employment Committee: I have appointed Assemblymembers Wilma Chan and Mark Leno to replace Assemblymembers Loni Hancock and Gloria Negrete McLeod.

Local Government Committee: No Change.

Natural Resources Committee: I have removed Assemblymember Cindy Montanez from the committee, reducing the size of the committee from 12 to 11 members.

Public Employees, Retirement and Social Security Committee: I have appointed Assemblymember John Campbell to replace Assemblymember Todd Spitzer on the committee.

Public Safety Committee: I have removed Assemblymembers Rudy Bermudez and Paul Koretz from the committee and have created a Democratic vacancy, reducing the size of the committee from 7 to 6 members.

Revenue and Taxation Committee: I have appointed Assemblymember Judy Chu to replace Assemblymember Joe Simitian on the committee.

Rules Committee: I have removed Assemblymember Lynn Daucher as the Republican Alternate.

Transportation Committee: I have removed Assemblymembers Patty Berg, Judy Chu, Tim Leslie, George Nakano and Todd Spitzer from the committee and have also eliminated the Democratic vacancy, reducing the size of the committee from 20 to 14 members.

Utilities and Commerce Committee: I have removed Assemblymembers Jay La Suer, Ken Maddox, Keith Richman and Lois Wolk and eliminated the Democratic vacancy from the committee and appointed Assemblymembers Herb Wesson, Russ Bogh and Tony Strickland, reducing the size from 14 to 12 members. I have also appointed Assemblymember John Campbell as the Vice Chair of the Committee.

Veterans Affairs Committee: I have removed Assemblymembers Rebecca Cohn, Tom Harman and Todd Spitzer from the committee, reducing the size from 14 to 11 members.

Water, Parks and Wildlife Committee: I have removed Assemblymembers Ellen Corbett, Mervyn Dymally and George Plescia from the committee and have also eliminated the Republican vacancy, reducing the size of the committee from 20 to 16 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

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

Dear Dotson: Please be advised that I have created the Select Committee on Human Trafficking for the 2003–04 Regular Session and have appointed Assemblymember Sally Lieber as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

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

Dear Dotson: This is to advise you that I have removed Assemblymember Cindy Montanez from the Special Committee on State Mandates.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

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

Dear Dotson: This is to advise you that I have removed Assemblymember Bill Maze from Budget Subcommittee No. 3 on Resources.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gene Mullin to replace Assemblymember Cindy Montanez on the Assembly Health Committee for the Tuesday, March 23rd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

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

Dear Dotson: This is to advised you that I appointed Assemblymember Marco Firebaugh to replaced Assemblymember Cindy Montanez on the Assembly Rules Committee for the today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

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

March 19, 2004

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

Greg Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California

Dear Mr. Wilson and Mr. Schmidt: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules met, respectively, and approved the following item:

- Selection of Assembly Member Cindy Montanez as Chair of the Joint Rules Committee for the 2003–04 Legislative Session (15–0)

Please ensure that this action is printed in the Assembly and Senate Daily Journals.

Sincerely,

CINDY MONTAÑEZ, Chair

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2004

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

Assembly Bill No. 1802	Assembly Bill No. 1924
Assembly Bill No. 1812	Assembly Bill No. 1937
Assembly Bill No. 1826	Assembly Bill No. 1941
Assembly Bill No. 1837	Assembly Bill No. 1950
Assembly Bill No. 1852	Assembly Bill No. 1956
Assembly Bill No. 1865	Assembly Bill No. 1991
Assembly Bill No. 1874	Assembly Bill No. 2001
Assembly Bill No. 1882	Assembly Bill No. 2010
Assembly Bill No. 1920	Assembly Bill No. 2017

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2004

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

- Assembly Bill No. 1819
- Assembly Bill No. 1829
- Assembly Bill No. 1840
- Assembly Bill No. 1847

- Assembly Bill No. 1876
- Assembly Bill No. 1932
- Assembly Bill No. 1953

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2004

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

- Assembly Concurrent Resolution No. 147
- Assembly Concurrent Resolution No. 179
- Assembly Joint Resolution No. 45
- Assembly Joint Resolution No. 55
- Assembly Joint Resolution No. 66

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 22, 2004

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

- Assembly Concurrent Resolution No. 162

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 22, 2004

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

- Assembly Concurrent Resolution No. 166

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

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>
2005 -----	Hum. S.
2180 -----	Ed.
2208 -----	Health and Jud.
2366 -----	Trans. and L. Gov.
2470 -----	W.,P. & W.
2491 -----	G.O.
2580 -----	Jud.
2714 -----	G.O. and Rls.
2715 -----	B. & P. and Jud.
2837 -----	L. & E.
2909 -----	Ed.
3029 -----	Agri.
3072 -----	Rev. & Tax.
3073 -----	Rev. & Tax.
3074 -----	Rev. & Tax.
3075 -----	Rev. & Tax.
3077 -----	L. Gov.

3078	-----	Jud.
3079	-----	Jud.
3080	-----	Jud.
3081	-----	Jud.
3082	-----	Jud.
3083	-----	G.O.
3085	-----	G.O.
3087	-----	G.O.
3088	-----	G.O.
3091	-----	G.O.

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
194	-----	Rls.
196	-----	Rls.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
69	-----	Agri.

SPECIAL COMMITTEE MEETINGS

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

Education, on Wednesday, April 14, 2004, at 9:30 a.m., in Room 444.

AUTHOR'S AMENDMENTS
Committee on Appropriations

March 22, 2004

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

Senate Bill No. 772

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

CHU, Chair

SENATE BILL NO. 772—An act to amend Sections 955.1 and 3440.1 of the Civil Code, to amend Section 9109 of the Commercial Code, and to amend Section 1731 of, to add and repeal Section 1769 of, and to add Article 5.6 (commencing with Section 848) to Chapter 4 of Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

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

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 22, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 2381

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

JACKSON, Chair

ASSEMBLY BILL NO. 2381—An act relating to forest resources.

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

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 22, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1842

Assembly Bill No. 2321

Assembly Bill No. 1861

Assembly Bill No. 2403

Assembly Bill No. 1938

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

LENO, Chair

ASSEMBLY BILL NO. 1842—An act to amend Section 172 of the Penal Code, relating to the Fred C. Nelles School for Boys.

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

ASSEMBLY BILL NO. 1861—An act to add Section 14908 to the Vehicle Code, relating to vehicles.

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

ASSEMBLY BILL NO. 1938—An act to amend Sections 23536, 23540, and 23546 of, and to add Section 23579 to, the Vehicle Code relating to vehicles.

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

ASSEMBLY BILL NO. 2321—An act to amend Section 12050 of the Penal Code, relating to firearms.

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

ASSEMBLY BILL NO. 2403—An act to amend Sections 647 and 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

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

AUTHOR'S AMENDMENTS
Committee on Business and Professions

March 22, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 2007

Assembly Bill No. 2138

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

CORREA, Chair

ASSEMBLY BILL NO. 2007—An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

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

ASSEMBLY BILL NO. 2138—An act to amend Section 1262 of the Business and Professions Code, and to repeal and add Section 114885 of the Health and Safety Code, relating to health care providers.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

March 22, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 2139

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

OROPEZA, Chair

ASSEMBLY BILL NO. 2139—An act to amend Sections 27315, 27360, 27360.5, 27362, and 27365 of the Vehicle Code, relating to vehicles.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

March 22, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 2498

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

OROPEZA, Chair

ASSEMBLY BILL NO. 2498—An act to amend Section 2562.2 of the Streets and Highways Code, relating to transportation.

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

AUTHOR'S AMENDMENTS
Committee on Human Services

March 22, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 2151

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

WOLK, Chair

ASSEMBLY BILL NO. 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

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

AUTHOR'S AMENDMENTS
Committee on Water, Parks and Wildlife

March 22, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 2146
Assembly Bill No. 2298

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

CANCIAMILLA, Chair

ASSEMBLY BILL NO. 2146—An act to amend Sections 8276, 8280, and 9004 of, and to add Sections 8276.1 and 8280.8 to the Fish and Game Code, relating to Dungeness crab, and making an appropriation therefor.

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

ASSEMBLY BILL NO. 2298—An act to add Section 65600.7 to the Government Code, relating to water conservation.

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

AUTHOR'S AMENDMENTS
Committee on Health

March 22, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 2270

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

COHN, Chair

ASSEMBLY BILL NO. 2270—An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

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

AUTHOR'S AMENDMENTS
Committee on Agriculture

March 22, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 2257

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

MATTHEWS, Chair

ASSEMBLY BILL NO. 2257—An act to amend Sections 77229 and 77262 of the Food and Agricultural Code, relating to the California Pepper Commission.

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

AUTHOR'S AMENDMENTS**Committee on Environmental Safety and Toxic Materials**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 2093

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

LAIRD, Chair

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

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

AUTHOR'S AMENDMENTS**Committee on Revenue and Taxation**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 2076

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

BERMUDEZ, Chair

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

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

AUTHOR'S AMENDMENTS**Committee on Governmental Organization**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 2479

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

JEROME HORTON, Chair

ASSEMBLY BILL NO. 2479—An act to amend Section 23152 of the Vehicle Code, relating to vehicles.

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

AUTHOR'S AMENDMENTS**Committee on Health**

March 22, 2004

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

Assembly Bill No. 2393

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

COHN, Chair

ASSEMBLY BILL NO. 2393—An act to amend Section 14000 of the Welfare and Institutions Code, relating to Medi-Cal.

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

AUTHOR’S AMENDMENTS
Committee on Education

March 22, 2004

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 2051
Assembly Bill No. 2367

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

GOLDBERG, Chair

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

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

ASSEMBLY BILL NO. 2367—An act to add Section 49416 to the Education Code, relating to pupil health.

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

AUTHOR’S AMENDMENTS
Committee on Public Employees, Retirement and Social Security

March 22, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:
Assembly Bill No. 1875

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

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1875—An act to amend Sections 3526, 3529, 3531, 3533, 3534, and 3538 of the Government Code, relating to state employees.

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

AUTHOR’S AMENDMENTS
Committee on Higher Education

March 22, 2004

Mr. Speaker: The Chair of your Committee on Higher Education reports:
Assembly Bill No. 1880
Assembly Bill No. 2387

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

LIU, Chair

ASSEMBLY BILL NO. 1880—An act to add Section 66025.7 to the Education Code, relating to public postsecondary education.

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

ASSEMBLY BILL NO. 2387—An act relating to discrimination.

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

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

March 22, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 2014

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

WIGGINS, Chair

ASSEMBLY BILL NO. 2014—An act to amend Sections 14252 and 14703 of the Financial Code, relating to financial institutions.

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

AUTHOR'S AMENDMENTS
Committee on Health

March 22, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 2049

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

COHN, Chair

ASSEMBLY BILL NO. 2049—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.

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

MESSAGES FROM THE SENATE

Senate Chamber, March 22, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 31

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

RE-REFERENCE OF BILLS

Assembly Member Calderon was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 2272 from the Committee on Local Government, to the Committee on Governmental Organization and back to Local Government;

Assembly Bill No. 2807 from the Committee on Judiciary, to the Committee on Human Services and back to Judiciary.

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

ASSEMBLY BILL NO. 1798—An act to add Section 22507.1 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

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

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2004

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

Assembly Bill No. 1798

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

ADJOURN IN MEMORY

Assembly Members Cogdill and Frommer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gordon Merrill Hart, of Modesto.

(Assembly Rule 45.5 suspended.)

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 Walter Eugene Stewart, of Alta Loma.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hamza Sharif, of City Heights.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:

Tuesday, March 23rd, Floor Session, 4:30 p.m.;

Wednesday, March 24th, Check-in Session, 7 a.m.–3 p.m.

ADJOURN IN MEMORY

Speaker Nunez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Meuel, of Burlingame.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Sutton, of Brea.

Assembly Member Samuelian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Laura Nannette Bufford, of Fresno.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Claudia Faye Blakemore, of Dixon; Michael Farace Jr., of Fairfield; Lynn R. Straight, of Vacaville; and Brandon Times, of Fairfield.

ADJOURN IN MEMORY

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Karen Denise Watson, of Bakersfield.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sybil Brand, of Beverly Hills.

(Assembly Rule 45.5 suspended.)

MOTION TO ADJOURN

At 11:38 a.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Reyes, Aghazarian, and Vargas were granted unanimous consent to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Calderon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:46 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 22, 2004

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

Assembly Bill No. 1839

Assembly Bill No. 2193

Assembly Bill No. 2057

Assembly Bill No. 2404

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

CORBETT, Chair

ASSEMBLY BILL NO. 1839—An act to amend Section 2982 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, relating to consumers.

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

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

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

ASSEMBLY BILL NO. 2193—An act to amend Section 22708 of the Business and Professions Code, relating to tanning facilities.

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

ASSEMBLY BILL NO. 2404—An act to add Section 53080 to the Government Code, relating to discrimination.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 22, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 196

With the recommendation: Be adopted.

FIREBAUGH, Acting Chair

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 4:30 p.m., Tuesday, March 23, 2004, out of respect to the memory of Gordon Merrill Hart, on motion of Assembly Members Cogdill and Frommer; out of respect to the memory of Walter Eugene Stewart, on motion of Assembly Member Dutton; out of respect to the memory of Hamza Sharif, on motion of Assembly Member Shirley Horton; out of respect to the memory of Christopher Sutton, on motion of Assembly Member Daucher; out of respect to the memory of Laura Nannette Bufford, on motion of Assembly Member Samuelian; out of respect to the memory of Claudia Faye Blakemore, Michael Farace Jr., Lynn R. Straight, and Brandon Times, on motion of Assembly Member Wolk; out of respect to the memory of Karen Denise Watson, on motion of Assembly Member McCarthy; out of respect to the memory of Sybil Brand, on motion of Assembly Member Koretz; and out of respect to the memory of Charles Meuel on motion of Speaker Nunez.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

