

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, May 4, 2004**

**ONE HUNDRED EIGHTY-NINTH SESSION DAY  
FIVE HUNDRED TWENTIETH 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

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Tuesday, May 4, 2004

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The following were placed upon the morning roll call—76:

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

Quorum present.

**At 12:39 p.m., Hon. Lou Correa, 69th District, presiding**

#### REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

#### 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 Firebaugh, Nunez, and Spitzer.*

*Because of illness in his family: Assembly Member Jerome E. Horton.*

**EXPLANATIONS OF ABSENCE**

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

April 30, 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 check-in session on Tuesday, May 4, 2004. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2050.

Sincerely,  
MARCO ANTONIO FIREBAUGH, Assembly Member  
Fiftieth District

April 27, 2004

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

Dear Mr. Speaker: I would like to be excused from session on Tuesday, May 4, 2004, to travel to my district for legislative business.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,  
TODD A. SPITZER, Assembly Member  
Seventy-first District

(NOTE: For letter explaining the absence of Assembly Member Nunez on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for May 3, 2004.)

**COMMUNICATIONS**

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

May 4, 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 Cindy Montanez to replace Assemblymember Jerome Horton on the Elections, Redistricting and Constitutional Amendments Committee for today's hearing only.

Sincerely,  
FABIAN NUÑEZ  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 3, 2004

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

Assembly Concurrent Resolution No. 115  
 Assembly Concurrent Resolution No. 121  
 Assembly Concurrent Resolution No. 131  
 Assembly Concurrent Resolution No. 135  
 Assembly Concurrent Resolution No. 139  
 Assembly Concurrent Resolution No. 147  
 Assembly Concurrent Resolution No. 166  
 Assembly Concurrent Resolution No. 169  
 Assembly Concurrent Resolution No. 199  
 Assembly Concurrent Resolution No. 200  
 Assembly Concurrent Resolution No. 202  
 Assembly Joint Resolution No. 57

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of May, 2004, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 1816  
 Assembly Bill No. 2040

Assembly Bill No. 2953  
 Assembly Bill No. 3045

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 1946  
 Assembly Bill No. 2042

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 2514  
 Assembly Bill No. 2712

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 4, 2004

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

Assembly Joint Resolution No. 53

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 4, 2004

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

Assembly Concurrent Resolution No. 210

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, May 4, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Concurrent Resolution No. 227  
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, May 4, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 1831  
Assembly Bill No. 1856  
Assembly Bill No. 2064  
Assembly Bill No. 2252  
Assembly Bill No. 2281  
And reports the same correctly engrossed.

Assembly Bill No. 2398  
Assembly Bill No. 2406  
Assembly Bill No. 2431  
Assembly Bill No. 2678  
Assembly Bill No. 3037

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 231—Yee.** Relative to Mental Health Occupations Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 232—Shirley Horton (Principal coauthor: Maze) (Coauthors: Benoit, Bermudez, Daucher, and Garcia) (Coauthor: Senator Oller).** Relative to Armed Forces Day.

**AUTHOR’S AMENDMENTS**

**Committee on Revenue and Taxation**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 2792  
With author’s amendments with the recommendation: Amend, and re-refer to the committee.

BERMUDEZ, Chair

**ASSEMBLY BILL NO. 2792—**An act to add and repeal Section 17052.3 of 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 Rules**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:  
Assembly Bill No. 1793  
With author’s amendments with the recommendation: Amend, and re-refer to the committee.

MONTANEZ, Chair

**ASSEMBLY BILL NO. 1793—**An act to add Chapter 6.7 (commencing with Section 20650) to Division 8 of the Business and Professions Code, relating to video games.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 4, 2004

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

Assembly Bill No. 1926

Assembly Bill No. 2863

Assembly Bill No. 2455

Assembly Bill No. 2946

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

CHU, Chair

**ASSEMBLY BILL NO. 1926**—An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

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. 2455**—An act to amend Sections 60061, 60200, and 60223 of the Education Code, relating to instructional materials.

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. 2863**—An act to amend Section 17070.755 of, to add Sections 17584.4 and 17591.5 to, and to add Article 10.3 (commencing with Section 17077.20) to Chapter 12.5 of Part 10 of, the Education Code, and to add Part 12 (commencing with Section 9200) to Division 5 of the Labor 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.

**ASSEMBLY BILL NO. 2946**—An act to add Section 10007 to the Penal Code, relating to inmates.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 4, 2004

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

Assembly Bill No. 2283

Assembly Bill No. 2572

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

CHU, Chair

**ASSEMBLY BILL NO. 2283**—An act to add Article 6.7 (commencing with section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, and to add Section 2889.7 to the Public Utilities Code, relating to telecommunications.

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. 2572**—An act to amend Section 521 of, and to add Section 523.5 to, the Water Code, relating to water.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2377

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

CHU, Chair

**ASSEMBLY BILL NO. 2377**—An act to amend Sections 11200, 11202, 11202.5, 11205, 11206, 11208, and 11215 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 Appropriations**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2569

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

CHU, Chair

**ASSEMBLY BILL NO. 2569**—An act to add Chapter 6.4 (commencing with Section 52060) to Part 28 of the Education Code, relating to pupils.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2456

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

CHU, Chair

**ASSEMBLY BILL NO. 2456**—An act to amend Section 14527 of the Government 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 Governmental Organization**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 2938

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

JEROME HORTON, Chair

**ASSEMBLY BILL NO. 2938**—An act to amend, repeal, and add Section 8880.4 of the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

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

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

May 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2627

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

CHU, Chair

**ASSEMBLY BILL NO. 2627**—An act to repeal and add Section 346 of the Welfare and Institutions code, relating to juvenile court proceedings.

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 Utilities and Commerce**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports:  
Assembly Bill No. 2447

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

REYES, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports:  
Assembly Bill No. 2509  
Assembly Bill No. 2767  
Assembly Bill No. 2869

With the recommendation: Do pass.

REYES, Chair

Above bills ordered to second reading.

**Committee on Veterans Affairs**

Date of Hearing: April 27, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports:  
Assembly Joint Resolution No. 71

With amendments with the recommendation: Amend, and be adopted as amended.

PARRA, Chair

Above resolution ordered to second reading.

**Committee on Revenue and Taxation**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:  
Assembly Bill No. 1850  
Assembly Bill No. 2846

With the recommendation: Do pass.

BERMUDEZ, Chair

Above bills ordered to second reading.



Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2857

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

BERMUDEZ, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2442

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

BERMUDEZ, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Concurrent Resolution No. 222

With amendments with the recommendation: Amend, and be adopted as amended.

BERMUDEZ, Chair

Above resolution ordered to second reading.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 3072

Assembly Bill No. 3075

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

BERMUDEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2144

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

BERMUDEZ, Chair

Above bill ordered to second reading.

**Committee on Business and Professions**

Date of Hearing: May 4, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 2513

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

CORREA, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Banking and Finance**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 2671

Assembly Bill No. 2693

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

WIGGINS, Chair

Above bills ordered to second reading.

**Committee on Business and Professions**

Date of Hearing: May 4, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 2654

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CORREA, Chair

Above bill ordered to second reading.

**Committee on Natural Resources**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2514

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

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2251

Assembly Bill No. 2922

Assembly Bill No. 2814

Assembly Bill No. 3090

With the recommendation: Do pass.

JACKSON, Chair

Above bills ordered to second reading.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 904

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

JACKSON, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Business and Professions**

Date of Hearing: May 4, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 2723

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

CORREA, Chair

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2847

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

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 2591

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

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 3104

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

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

**Assembly Bills Nos. 2953 and 1816**, ordered to third reading;**Assembly Bills Nos. 2040 and 3045**, ordered to the Consent Calendar.**SECOND READING OF ASSEMBLY BILLS****ASSEMBLY BILL NO. 2844**—An act to amend Section 27801 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 3065**—An act to amend Section 65302 of, and to repeal and add Section 65302.5 of, the Government Code, and to repeal Section 4128.5 of the Public Resources Code, relating to general plans.

Bill read second time, and ordered to third reading.

**ASSEMBLY CONCURRENT RESOLUTION NO. 217**—Relative to National Day of Prayer.

Resolution read; amendments proposed by the Committee on Rules read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

**ASSEMBLY BILL NO. 2805**—An act to add Section 33333.12 to the Health and Safety Code, relating to redevelopment.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 2883**—An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1936**—An act to add Chapter 6 (commencing with Section 51960) to Part 2 of Division 1 of Title 5 of the Government Code, to amend Section 50826 of the Health and Safety Code, to amend Section 4127 of the Public Resources Code, and to amend Section 2400 of the Vehicle Code, relating to local government organization.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY JOINT RESOLUTION NO. 65**—Relative to the Soboba Band of Luiseno Indians.

Resolution read; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

**ASSEMBLY BILL NO. 2506**—An act to add Section 61600.35 to the Government Code, relating to community services districts.

Bill read second time; amendments proposed by the Committee on Environmental Safety and Toxic Materials read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ASSEMBLY BILL NO. 1933**—An act to amend Sections 6252, 6253, and 6254 of the Government Code, relating to public records.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2162**—An act to amend Sections 12710, 12711, 12713, 12714, and 12715 of the Government Code, relating to gaming.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2242**—An act to amend Section 8610 of the Government Code, relating to emergency services.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2479**—An act to amend Section 53155 of the Government Code, relating to emergency services.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2538**—An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2638**—An act to add Section 6252.5 to the Government Code, and to add Section 18948.1 to the Health and Safety Code, relating to building standards.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2878**—An act to amend Section 25511 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 3083**—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.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 3084**—An act relating to tribal gaming.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 3085**—An act to repeal Section 23323 of the Business and Professions Code, relating to alcoholic beverages.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 1827**—An act to amend Sections 11125.4 and 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be returned to the second reading file.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 2878

Assembly Bill No. 3084

Assembly Bill No. 3083

Assembly Bill No. 3085

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 2242

Assembly Bill No. 2538

Assembly Bill No. 2638

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

**MESSAGES FROM THE GOVERNOR**

The following message from the Governor was received and ordered printed in the Journal:

Governor’s Office, Sacramento

May 4, 2004

*To the Members of the Assembly:*

Assembly Bill 1457, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 1457 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 4, 2004

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

Assembly Bill No. 1457

And reports the same correctly enrolled, and presented to the Governor on the 4th day of May, 2004, at 8:15 a.m.

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, May 5, 2004.

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LELAND Y. YEE, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 4, 2004**

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

**AB RN**

1793 0409698  
1827 0409445  
1926 0409591  
1936 0409490  
2283 0409676  
2377 0409027  
2455 0409636  
2456 0408080  
2506 0409444  
2569 0409484  
2572 0409663  
2627 0409603  
2792 0409543  
2805 0409536  
2863 0409650  
2883 0409449  
2938 0409500  
2946 0409604

**ACR RN**

217 0409420

**AJR RN**

65 0409403

**Daily Total: 20**  
**Cumulative Total: 4347**

O