

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, May 6, 2004**

**ONE HUNDRED NINETY-FIRST SESSION DAY  
FIVE HUNDRED TWENTY-SECOND 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  
Thursday, May 6, 2004

The Assembly met at 9:30 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 La Suer moved a quorum call of the Assembly.  
Motion carried. Time, 9:31 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 9:44 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	Dymally	Leslie	Pavley
Bates	Firebaugh	Levine	Plescia
Benoit	Frommer	Lieber	Reyes
Berg	Garcia	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Bogh	Hancock	Maldonado	Samuelian
Calderon	Harman	Matthews	Simitian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Jerome	McCarthy	Steinberg
Chavez	Horton, Shirley	Montanez	Strickland
Chu	Houston	Mountjoy	Vargas
Cogdill	Jackson	Mullin	Wesson
Cohn	Keene	Nakanishi	Wiggins
Correa	Kehoe	Nakano	Wolk
Cox	Koretz	Nation	Wyland
Daucher	La Malfa	Negrete McLeod	Yee
Diaz	La Suer	Oropeza	Mr. Speaker
Dutra	Laird	Pacheco	
Dutton	Leno	Parra	

**PRAYER**

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

*Lord, On this National Day of Prayer, as American troops continue fighting for liberty in various countries, we ask that You protect and strengthen the members of our armed forces, and their families, as they serve our country in the cause of freedom. We also join millions of Americans in seeking Your divine guidance as we live our lives and as we proclaim the value of liberty to all people. Oppression and injustice exist in so many places today, Lord, so we ask that You let freedom ring in all corners of the world. Holy God, bless us and all people, on this National Day of Prayer and always.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Berg 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 Liu, Maddox, Richman, and Runner.*

*Because of illness: Assembly Members Chan and Corbett.*

**EXPLANATIONS OF ABSENCE**

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

May 4, 2004

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

Dear Mr. Speaker: I am requesting permission to be excused from session on Thursday, May 6 to participate in the Save Our History program and the upcoming launch event at the Chinese American Cultural Museum in Los Angeles. The event begins at 11:15 a.m. and will end at 12:30 p.m.

Please contact my assistant, Robin Robinson at x2470 if you have any questions regarding this request.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member  
Forty-fourth District

May 4, 2004

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

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, May 6th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member  
Sixty-eighth District

April 20, 2004

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

Dear Speaker Nunez: I respectfully request that I travel to my district Wednesday, May 5, 2004, on legislative business and return to Sacramento Thursday evening, May 6, 2004. I also respectfully request that I be excused from session Thursday, May 6, 2004.

If you should have any questions, please call my assistant, Connie Bosserman, any time at 916-319-2038.

Sincerely,

KEITH S. RICHMAN, M.D., Assembly Member  
Thirty-eighth District

April 19, 2004

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

Dear Speaker Nunez: I am writing to request an excused absence for May 6, 2004. I will be in my district on legislative business.

Should you have any questions regarding this request, please contact Will Smith in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member  
Thirty-sixth District

**COMMUNICATIONS**

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

May 6, 2004

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

Dear Dotson: This is to advise you that I have appointed Assemblymembers Patty Berg and Lloyd Levine to replace Assemblymembers Carol Liu and Fran Pavley on the Assembly Education Committee for today’s hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

May 6, 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 Guy Houston to replace Assemblymember Ken Maddox on the Assembly Utilities and Commerce Committee for today’s hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

**QUALIFIED INITIATIVES**

The following qualified initiatives were received by the Chief Clerk from:

Kevin Shelley, Secretary of State, dated April 30, 2004, transmitting a copy of the following initiatives, which have qualified for the November 2, 2004 General Election:

**Elections. Primaries**

Referred pursuant to the Elections Code, Section 9034, to the Committee on Elections, Redistricting and Constitutional Amendments.

**Mental Health Services Expansion and Funding.  
Tax on Incomes Over 1\$ Million.**

Referred pursuant to the Elections Code, Section 9034, to the Committees on Elections, Redistricting and Constitutional Amendments, Health, and Revenue and Taxation.

**SPECIAL COMMITTEE MEETINGS**

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

Education, today, upon adjournment of Floor session.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, May 6, 2004

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

- Assembly Bill No. 1869
- Assembly Bill No. 2038
- Assembly Bill No. 2344
- Assembly Bill No. 2508
- Assembly Bill No. 2545

- Assembly Bill No. 2611
- Assembly Bill No. 2799
- Assembly Bill No. 2802
- Assembly Bill No. 2830

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, May 6, 2004

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

- Assembly Bill No. 2144
- Assembly Bill No. 2591
- Assembly Bill No. 2723

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 6, 2004

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

- Assembly Concurrent Resolution No. 222
- Assembly Joint Resolution No. 71

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, May 6, 2004

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

- Assembly Concurrent Resolution No. 167

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, May 6, 2004

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

- Assembly Joint Resolution No. 70

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 Concurrent*

*Resolution No.*

*Committee*

**229** ----- Rls.

**230** ----- Rls.

**231** ----- Health

**232** ----- Rls.

<i>Senate</i>		<i>Committee</i>
<i>Bill No.</i>		
<b>50</b>	-----	Nat. Res. and E.S. & T.M.
<b>246</b>	-----	Jud.
<b>449</b>	-----	Pub. S.
<b>492</b>	-----	H. & C.D.
<b>537</b>	-----	Nat. Res.
<b>740</b>	-----	H. & C.D.
<b>764</b>	-----	Rev. & Tax.
<b>785</b>	-----	Health
<b>849</b>	-----	L. Gov. and Trans.
<b>924</b>	-----	Trans.
<b>928</b>	-----	B. & P.
<b>1021</b>	-----	Jud.
<b>1085</b>	-----	Trans.
<b>1137</b>	-----	P.E.,R. & S.S.
<b>1142</b>	-----	Ed.
<b>1143</b>	-----	V.A.
<b>1146</b>	-----	H. & C.D.
<b>1153</b>	-----	W.,P. & W.
<b>1164</b>	-----	Pub. S.
<b>1170</b>	-----	Health
<b>1172</b>	-----	Rev. & Tax.
<b>1177</b>	-----	Ed.
<b>1183</b>	-----	G.O.
<b>1208</b>	-----	Ed.
<b>1235</b>	-----	Trans.
<b>1260</b>	-----	P.E.,R. & S.S.
<b>1278</b>	-----	Nat. Res.
<b>1327</b>	-----	W.,P. & W.
<b>1328</b>	-----	H. & C.D.
<b>1364</b>	-----	Hum. S.
<b>1385</b>	-----	Pub. S.
<b>1408</b>	-----	Jud.
<b>1441</b>	-----	Pub. S.
<b>1482</b>	-----	Nat. Res.
<b>1493</b>	-----	Health
<b>1564</b>	-----	Jud.
<b>1610</b>	-----	H. & C.D.
<b>1611</b>	-----	H. & C.D.
<b>1651</b>	-----	V.A.
<b>1695</b>	-----	Pub. S.
<b>1777</b>	-----	H. & C.D.
<b>1778</b>	-----	H. & C.D.

*Senate Concurrent  
Resolution No.*

*Committee*

<b>50</b>	-----	Trans.
<b>53</b>	-----	Trans.
<b>64</b>	-----	Trans.
<b>67</b>	-----	Trans.
<b>68</b>	-----	Trans.
<b>69</b>	-----	Trans.
<b>70</b>	-----	Trans.
<b>79</b>	-----	Rls.

**AUTHOR'S AMENDMENTS  
Committee on Insurance**

May 6, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Assembly Bill No. 2962

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

VARGAS, Chair

**ASSEMBLY BILL NO. 2962**—An act to amend Section 2051 of the Insurance Code, relating to fire insurance.

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 Local Government**

May 6, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Senate Bill No. 849

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

SALINAS, Chair

**SENATE BILL NO. 849**—An act to add and repeal Section 1936.2 of, and to repeal and add Section 1936.3 of, the Civil Code, relating to rental vehicle transaction fees, 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 6, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2360

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

CHU, Chair

**ASSEMBLY BILL NO. 2360**—An act to amend Section 56366 of the Education Code, relating to special 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.



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

May 6, 2004

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

Assembly Bill No. 2128

Assembly Bill No. 2701

Assembly Bill No. 2298

Assembly Bill No. 2702

Assembly Bill No. 2631

Assembly Bill No. 2835

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

CHU, Chair

**ASSEMBLY BILL NO. 2128**—An act to add Section 44125 to the Health and Safety Code, relating to air pollution.

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 Article 11 (commencing with Section 65610) to Chapter 3 of Division 1 of Title 7 of 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.

**ASSEMBLY BILL NO. 2631**—An act to add Division 37 (commencing with Section 71500) to the Public Resources Code, relating to natural 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.

**ASSEMBLY BILL NO. 2701**—An act to amend Sections 13144 and 13152, and to repeal Section 12847.5 of, the Food and Agriculture Code, to amend Section 12812.2, and to repeal Section 12812.5 of, the Government Code, to amend Sections 901, 25174, 25178, 25295, 25299.81, 25369, 39607.5, 40459, 41712, 41865, 43101, 43105.5, 44011.6, 44100, 44104.5, 57007, and 115910, and to repeal Sections 25244.11, 25395.32, 39604, 39702.5, 43032, 43101, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Sections 42889.1 and 42889.4 of, the Public Resources Code, to amend Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, and 13385 of, and to repeal Sections 10782, 13192, 13198, and 13399.39 of, the Water Code, and to repeal Section 4 of Chapter 435 of the Statutes of 1994, relating to environmental protection.

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. 2702**—An act to amend Section 65583 of, to add Sections 65852.8 and 65917.1 to, and to repeal Section 65852.2 of, the Government Code, relating to housing.

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

**ASSEMBLY BILL NO. 2835**—An act to add Article 15 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code, and to amend Section 549 of the Penal Code, relating to health care.

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 6, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 2041  
Assembly Bill No. 2197

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

CHU, Chair

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

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. 2197**—An act to amend Section 6307 of, and to add Section 6103 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 6, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 3044

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

CHU, Chair

**ASSEMBLY BILL NO. 3044**—An act to add Section 1264 to the Health and Safety Code, and to add Section 14110.53 to the Welfare and Institutions Code, relating to prenatal testing.

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**

May 6, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 2590  
Assembly Bill No. 2794

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

BERMUDEZ, Chair

**ASSEMBLY BILL NO. 2590**—An act to amend, repeal, and add Section 25128 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.

**ASSEMBLY BILL NO. 2794**—An act to add Sections 17053.62, 17255.5, 23662, and 24356.5 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Appropriations**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1822 | Assembly Bill No. 2168 |
| Assembly Bill No. 1846 | Assembly Bill No. 2193 |
| Assembly Bill No. 1854 | Assembly Bill No. 2303 |
| Assembly Bill No. 1875 | Assembly Bill No. 2307 |
| Assembly Bill No. 1942 | Assembly Bill No. 2311 |
| Assembly Bill No. 1973 | Assembly Bill No. 2314 |
| Assembly Bill No. 1980 | Assembly Bill No. 2445 |
| Assembly Bill No. 2079 | Assembly Bill No. 2454 |
| Assembly Bill No. 2149 |                        |

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 2477 | Assembly Bill No. 2865 |
| Assembly Bill No. 2507 | Assembly Bill No. 2900 |
| Assembly Bill No. 2565 | Assembly Bill No. 2915 |
| Assembly Bill No. 2678 | Assembly Bill No. 2917 |
| Assembly Bill No. 2682 | Assembly Bill No. 3010 |
| Assembly Bill No. 2704 | Assembly Bill No. 3029 |
| Assembly Bill No. 2763 | Assembly Bill No. 3056 |
| Assembly Bill No. 2785 | Assembly Bill No. 3092 |
| Assembly Bill No. 2850 |                        |

With the recommendation: Do pass.

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 1945 | Assembly Bill No. 2075 |
| Assembly Bill No. 1966 | Assembly Bill No. 2170 |
| Assembly Bill No. 1992 | Assembly Bill No. 2219 |
| Assembly Bill No. 1994 | Assembly Bill No. 2224 |
| Assembly Bill No. 1999 | Assembly Bill No. 2397 |
| Assembly Bill No. 2005 | Assembly Bill No. 2436 |
| Assembly Bill No. 2007 | Assembly Bill No. 2516 |
| Assembly Bill No. 2037 |                        |

With the recommendation: Do pass.

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

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2613	Assembly Bill No. 2851
Assembly Bill No. 2635	Assembly Bill No. 2870
Assembly Bill No. 2677	Assembly Bill No. 2945
Assembly Bill No. 2716	Assembly Bill No. 3064
Assembly Bill No. 2760	Assembly Bill No. 3076
Assembly Bill No. 2841	Assembly Bill No. 3077
Assembly Bill No. 2842	Assembly Bill No. 3091

With the recommendation: Do pass.

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

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 3095  
 Assembly Bill No. 3101  
 Assembly Bill No. 3102

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.

CHU, Chair

Above bills ordered to second reading.

#### **Committee on Insurance**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 1868	Assembly Bill No. 2649
Assembly Bill No. 2199	Assembly Bill No. 3037
Assembly Bill No. 2444	Assembly Bill No. 3051

With the recommendation: Do pass.

VARGAS, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 2919

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.

VARGAS, Chair

Above bill ordered to second reading.

#### **Committee on Labor and Employment**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 2276

With the recommendation: Do pass.

KORETZ, Chair

Above bill ordered to second reading.

**Committee on Rules**

Date of Hearing: May 6, 2004

Mr. Speaker: Your Committee on Rules reports:  
Assembly Bill No. 1793  
Without recommendation.

MONTANEZ, Chair

Above bill ordered to second reading.

Date of Hearing: May 6, 2004

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 219  
House Resolution No. 20  
With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolutions ordered to third reading.

Date of Hearing: May 6, 2004

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 211  
With the recommendation: Be adopted.

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

MONTANEZ, Chair

Above resolution ordered to the Consent Calendar.

**Committee on Labor and Employment**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:  
Assembly Concurrent Resolution No. 213  
With the recommendation: Be adopted.

KORETZ, Chair

Above resolution ordered to third reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:  
Assembly Bill No. 2604  
With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Insurance**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Insurance reports:  
Assembly Bill No. 2866  
With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, 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. 1975

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CORREA, Chair

Above bill ordered to second reading.

**Committee on Labor and Employment**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 2891

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

KORETZ, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 152

With the recommendation: Be adopted.

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

CHU, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1808

Assembly Bill No. 2889

Assembly Bill No. 2753

Assembly Bill No. 2997

Assembly Bill No. 2759

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

CHU, Chair

Above bills ordered to second reading.

**Committee on Local Government**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Constitutional Amendment No. 30

With the recommendation: Be adopted, and be re-referred to the Committee on Revenue and Taxation.

SALINAS, Chair

Above resolution re-referred to the Committee on Revenue and Taxation.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 3105

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

SALINAS, Chair

Above bill re-referred to the Committee on Revenue and Taxation.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2290

Assembly Bill No. 2817

With the recommendation: Do pass.

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2031

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

SALINAS, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Appropriations**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 409

Senate Bill No. 871

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

CHU, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2856

Assembly Bill No. 3023

With the recommendation: Do pass, as amended.

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.

CHU, Chair

Above bills ordered to second reading.

**Committee on Education**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1860

Assembly Bill No. 2196

Assembly Bill No. 2225

Assembly Bill No. 2675

Assembly Bill No. 2950

Assembly Bill No. 3017

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

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 2295

Assembly Bill No. 2800

With the recommendation: Do pass.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1819

Assembly Bill No. 2525

Assembly Bill No. 2512

Assembly Bill No. 2913

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.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Concurrent Resolution No. 195

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 2361

Assembly Bill No. 2373

Assembly Bill No. 2504

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

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

#### **Committee on Natural Resources**

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2055

Assembly Bill No. 2911

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

JACKSON, Chair

Above bills ordered to second reading.

Date of Hearing: May 3, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 2902

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JACKSON, Chair

Above bill ordered to second reading.

#### **Committee on Local Government**

Date of Hearing: April 28, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2473

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

SALINAS, Chair

Above bill ordered to second reading.



**Committee on Appropriations**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 3025

With the recommendation: Do pass, as amended.

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.

CHU, Chair

Above bill ordered to second reading.

**Committee on Higher Education**

Date of Hearing: May 4, 2004

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Concurrent Resolution No. 193

With amendments with the recommendation: Amend, be adopted as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above resolution ordered to second reading.

Date of Hearing: May 4, 2004

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 905

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Education.

LIU, Chair

Above bill ordered to second reading.

**Committee on Appropriations**

Date of Hearing: May 5, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 2001

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

CHU, Chair

Above bill ordered to second reading.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1760 to the Committee on Public Safety.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 2804, be withdrawn from the Committee on Insurance and placed on the second reading file.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent to waive Joint Rule 62(a) to permit the following bills to be heard in committees, as noted:

Committee on Education, to hear Assembly Bill No. 1832, today;

Committee on Utilities and Commerce, to hear Assembly Bill No. 2799, today;

Appropriations Subcommittee No. 2, to hear Items 6110 and 0558 on Monday, May 10, 2004;

Committee on Public Safety, to hear Assembly Bills Nos. 2143, 2288, and 2905, today.

**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. 2144, 2723, and 2591**, ordered to third reading.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 1910**—An act to amend Sections 7611 and 7630 of the Family Code, to add Chapter 4.4 (commencing with Section 1644.7) to Division 2 of the Health and Safety Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2536**—An act to add Part 5.6 (commencing with Section 19959.10) to Division 13 of the Health and Safety Code, relating to building accessibility.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2582**—An act to add Section 1940.7.6 to the Civil Code, relating to tenancy.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2583**—An act to add Section 1950.9 to the Civil Code, relating to tenancy.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2598**—An act to amend Sections 1363, 1365.1, 1366, and 1367.1 of, and to add Sections 1365.3 and 1367.3 to, the Civil Code, relating to common interest developments.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2713**—An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2167**—An act to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2362**—An act to amend Section 56505 of the Education Code, relating to special education.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2708**—An act to amend Section 1102.8 of the Labor Code, relating to whistleblowers.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2872**—An act to amend Section 17204 of the Probate Code, relating to trusts.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2932**—An act to amend Sections 3440.1, 3440.3, and 3440.5 of the Civil Code, and to amend Section 5907 of the Vehicle Code, relating to commercial law.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 3016**—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 3080**—An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2333**—An act to add Chapter 8 (commencing with Section 945.30) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defect actions.

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

**ASSEMBLY BILL NO. 2804**—An act to add Section 2782.3 to the Civil Code, and to add Section 11580.03 to the Insurance Code, relating to construction defects.

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

**ASSEMBLY BILL NO. 2684**—An act to amend Section 10174 of the Insurance Code, relating to health insurance.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2821**—An act to add Section 14019.7 to the Welfare and Institutions Code, relating to health care services.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2783**—An act to add Section 27388.5 to the Government Code, relating to recording fees.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 1918**—An act to amend Sections 44977 and 45196 of the Education Code, relating to school employees.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2234**—An act to amend Sections 31485.7, 31485.8, 31486.2, 31489, 31490, 31494.1, 31494.3, 31495.5, 31499.2, and 31499.12 of, to add Sections 31490.5 and 31522.6 to, and to repeal and add Sections 31486.3, 31499.3, and 31499.13 of, the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2330**—An act to add Section 50980 to the Government Code, relating to volunteer firefighters.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2364**—An act to add Section 7514.3 to the Government Code, relating to public pension systems, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2894**—An act to add Section 31874.6 to the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2956**—An act to amend Section 31453 of the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2982**—An act to amend Section 31725.6 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 3008**—An act to add Sections 31485.11 and 31646.6 to the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 2233**—An act to amend Sections 22663, 22705.5, 22714, 23203, 24114, 24221, and 44987 of the Education Code, relating to state teachers' retirement.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2680**—An act to amend Sections 22375 of the Education Code, and to amend Section 20195 of the Government Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to Consent Calendar.

**ASSEMBLY BILL NO. 2926**—An act to amend Sections 17053.34, 17053.46, 17053.74, 23622.7, 23634, and 23646 of the Revenue and Taxation Code, relating to taxation.

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

### SECOND READING OF SENATE BILLS

**SENATE BILL NO. 749**—An act to add Section 70379 to the Government Code, and to amend Section 366.28 of the Welfare and Institutions Code, relating to courts, making an appropriation therefor.

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

**SENATE BILL NO. 37**—An act to add Section 354.9 to the Code of Civil Procedure, relating to civil actions.

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

### ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 6, 2004

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

Assembly Bill No. 1918

Assembly Bill No. 2894

Assembly Bill No. 2536

Assembly Bill No. 2956

Assembly Bill No. 2684

Assembly Bill No. 2982

Assembly Bill No. 2713

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

Assembly Chamber, May 6, 2004

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

Assembly Bill No. 2233

Assembly Bill No. 3080

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 208  
BY UNANIMOUS CONSENT**

Assembly Member Pavley was granted unanimous consent to take up Assembly Concurrent Resolution No. 208, out of order, for purpose of consideration.

**ASSEMBLY CONCURRENT RESOLUTION NO. 208 (Pavley)**—Relative to State Parks Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 208**

Assembly Member Pavley was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 208.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Pavley was granted unanimous consent to take up Assembly Concurrent Resolution No. 208, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 208, As Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 208**—Relative to State Parks Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1320 (Dutra)**—An act to amend Sections 65460.1, 65460.2, and 65460.4 of the Government Code, relating to transit village plans.

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

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

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

**AYES—48**

Berg	Dymally	Levine	Pavley
Bermudez	Firebaugh	Lieber	Reyes
Calderon	Frommer	Longville	Ridley-Thomas
Campbell	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Maldonado	Simitian
Chavez	Horton, Jerome	Mathews	Steinberg
Chu	Horton, Shirley	Montanez	Vargas
Cohn	Jackson	Mullin	Wesson
Correa	Kehoe	Nakano	Wiggins
Daucher	Koretz	Nation	Wolk
Diaz	Laird	Negrete McLeod	Yee
Dutra	Leno	Parra	Mr. Speaker

**NOES—21**

Aghazarian	Harman	Leslie	Plescia
Bogh	Haynes	Maze	Strickland
Cogdill	Houston	McCarthy	Wyland
Cox	Keene	Mountjoy	
Dutton	La Malfa	Nakanishi	
Garcia	La Suer	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 124 (Cogdill)**—An act to amend Section 17052 of the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

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

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

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Cogdill moved a call of the Assembly.

Motion carried. Time, 10:05 a.m.

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

**MOTION TO RECONSIDER ASSEMBLY BILL NO. 2152 CONTINUED**

Assembly Member Goldberg was granted unanimous consent that the motion to reconsider the vote on Assembly Bill No. 2152 be continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 118 (Wiggins)**—Relative to public broadcasting.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 118**

Assembly Member Wiggins was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 118.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Calderon, Chu, Cohn, Correa, Daucher, Dutra, Firebaugh, Garcia, Goldberg, Hancock, Jerome Horton, Keene, Kehoe, Leno, Levine, Longville, Lowenthal, Maldonado, Matthews, Montanez, Nakano, Negrete McLeod, Parra, Pavley, Plescia, Reyes, Ridley-Thomas, Simitian, Spitzer, Vargas, Wesson, and Yee.

**Request for Unanimous Consent**

Assembly Member Wiggins was granted unanimous consent to take up Assembly Concurrent Resolution No. 118, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 118, as Amended**  
**ASSEMBLY CONCURRENT RESOLUTION NO. 118**—Relative to public broadcasting.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY BILL NO. 2628 (Pavley)**—An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

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

**AYES—60**

Aghazarian	Dutra	Laird	Pacheco
Bates	Dutton	Leno	Parra
Benoit	Dymally	Leslie	Pavley
Berg	Firebaugh	Levine	Reyes
Bermudez	Frommer	Lieber	Ridley-Thomas
Bogh	Garcia	Longville	Salinas
Calderon	Goldberg	Lowenthal	Samuelian
Campbell	Hancock	Maldonado	Simitian
Canciamilla	Harman	Matthews	Steinberg
Chavez	Horton, Jerome	McCarthy	Vargas
Chu	Horton, Shirley	Montanez	Wesson
Cohn	Houston	Mullin	Wiggins
Correa	Jackson	Nakano	Wolk
Daucher	Kehoe	Nation	Yee
Diaz	Koretz	Negrete McLeod	Mr. Speaker

**NOES—13**

Cogdill	La Malfa	Nakanishi	Wyland
Cox	La Suer	Plescia	
Haynes	Maze	Spitzer	
Keene	Mountjoy	Strickland	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2628: Assembly Member McCarthy from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2562 (Bogh)**—An act to amend Section 7583.9 of the Business and Professions Code, relating to private patrol operators.

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

**AYES—65**

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

**NOES—1**

Spitzer

Bill ordered transmitted to the Senate.



**ASSEMBLY CONCURRENT RESOLUTION NO. 168 (Maze)**—Relative to Korean War Armistice Day.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 168**

Assembly Member Maze was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 168.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Maze was granted unanimous consent to take up Assembly Concurrent Resolution No. 168, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 168, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 168**—Relative to Korean War Armistice Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 203 (Garcia)**—Relative to the California National Guard “Adopt an Armory” program.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 203**

Assembly Member Garcia was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 203.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Garcia was granted unanimous consent to take up Assembly Concurrent Resolution No. 203, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 203, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 203**—Relative to the California National Guard “Adopt an Armory” program.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY BILL NO. 1990 (Campbell)**—An act to amend Section 16461 of the Probate Code, relating to trusts.

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

**AYES—70**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2370 (Goldberg)**—An act to add Section 51207 to the Education Code, relating to courses of study.

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

**AYES—46**

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

**NOES—22**

Aghazarian	Garcia	La Suer	Plescia
Bates	Harman	Leslie	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2407 (Bermudez)**—An act to repeal and add Section 46111 of the Education Code, relating to kindergarten.

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

**AYES—70**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 1898 (Nakano)**—An act to amend Section 1799.2 of the Health and Safety Code, relating to emergency medical services.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Mountjoy moved a call of the Assembly.

Motion carried. Time, 10:44 a.m.

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

**ASSEMBLY BILL NO. 2093 (Nakano)**—An act to amend Sections 72505, 72521, and 72530 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

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

**AYES—57**

Bates	Dymally	Levine	Reyes
Berg	Firebaugh	Lieber	Ridley-Thomas
Bermudez	Frommer	Longville	Salinas
Bogh	Garcia	Lowenthal	Simitian
Calderon	Goldberg	Maldonado	Steinberg
Campbell	Hancock	Matthews	Vargas
Canciamilla	Harman	Montanez	Wesson
Chavez	Horton, Jerome	Mullin	Wiggins
Chu	Horton, Shirley	Nakano	Wolk
Cohn	Jackson	Nation	Wyland
Correa	Keene	Negrete McLeod	Yee
Daucher	Kehoe	Oropeza	Mr. Speaker
Diaz	Koretz	Parra	
Dutra	Laird	Pavley	
Dutton	Leno	Plescia	

**NOES—14**

Cox	La Suer	Mountjoy	Spitzer
Haynes	Leslie	Nakanishi	Strickland
Houston	Maze	Pacheco	
La Malfa	McCarthy	Samuelian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2093: Assembly Member Bates from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2132 (Reyes)**—An act to add Section 49414.7 to the Education Code, relating to pupil health.

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

**AYES—73**

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

**NOES—1**

La Suer

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2132: Assembly Member Cogdill from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 1898**

At 10:47 a.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1898 passed by the following vote:

**AYES—46**

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

**NOES—27**

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

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 2150 (Levine)**—An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

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

**AYES—49**

Berg	Firebaugh	Lieber	Ridley-Thomas
Bermudez	Frommer	Longville	Salinas
Bogh	Garcia	Lowenthal	Spitzer
Calderon	Goldberg	Matthews	Steinberg
Canciamilla	Hancock	Montanez	Vargas
Chavez	Harman	Mullin	Wesson
Chu	Horton, Jerome	Nakano	Wiggins
Cohn	Jackson	Nation	Wolk
Correa	Kehoe	Negrete McLeod	Yee
Daucher	Koretz	Oropeza	Mr. Speaker
Diaz	Laird	Parra	
Dutra	Leno	Pavley	
Dymally	Levine	Reyes	

**NOES—24**

Aghazarian	Dutton	La Suer	Nakanishi
Bates	Haynes	Leslie	Pacheco
Benoit	Horton, Shirley	Maldonado	Plescia
Campbell	Houston	Maze	Samuelian
Cogdill	Keene	McCarthy	Strickland
Cox	La Malfa	Mountjoy	Wyland

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2150: Assembly Member Bates from “Aye” to “No”.

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2156 (Reyes)**—An act to amend Section 23057 of the Financial Code, relating to deferred deposit transactions.

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

**AYES—67**

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

**NOES—5**

Campbell	La Suer	Mountjoy
Haynes	Maze	

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 2626 (Plescica)**—An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

Bill read third time.

#### **CAUCUS ANNOUNCEMENTS**

At 10:55 a.m., Assembly Member Cogdill was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

#### **RECESS**

By unanimous consent, at 10:56 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

#### **CAUCUS ANNOUNCEMENTS**

At 10:59 a.m., Assembly Member Frommer announced that the Democratic Caucus would meet, in the Assembly Lounge.

#### **RECONVENED**

At 12:20 p.m., the Assembly reconvened.

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

#### **ORDERS OF THE DAY DEMANDED AND UNANIMOUS CONSENT WITHHELD**

Assembly Member Haynes demanded the Orders of the Day, and withheld unanimous consent on all requests for unanimous consent and on requests to pass and retain items on this day's File.

#### **MOTION TO SUSPEND ORDERS OF THE DAY**

Assembly Member Frommer moved to suspend the Orders of the Day.

Assembly Member Vargas seconded the motion.

#### **Motion Withdrawn**

With consent of the second to the motion, Assembly Member Frommer withdrew his motion to suspend the Orders of the Day.

#### **FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2626**

**ASSEMBLY BILL NO. 2626 (Plescica)**—An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

The question being on the passage of the bill.

The roll was opened.

#### **Call of the Assembly**

Pending the announcement of the vote, Assembly Member Vargas moved a call of the Assembly.

Motion carried. Time, 12:25 p.m.

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

#### **BILLS PASSED ON FILE**

**Assembly Bill No. 2636**—Passed on file.



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

**ASSEMBLY BILL NO. 2643 (Canciamilla)**—An act to add Section 25314 to the Public Resources Code, relating to energy.

Bill read third time.

**Demand for Previous Question**

Assembly Members Frommer, Cohn, Goldberg, Levine, and Nakano demanded the previous question.

The roll was opened and the demand for the previous question sustained by the following vote:

**AYES—44**

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

**NOES—29**

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

The question being on the passage of the bill.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Mountjoy moved a call of the Assembly.

Motion carried. Time, 12:32 p.m.

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

**CAUCUS ANNOUNCEMENTS**

At 12:33 p.m., Assembly Member Bogh was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 12:33 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

**RECONVENED**

At 12:38 p.m., the Assembly reconvened.

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

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

**ASSEMBLY BILL NO. 2691 (Correa)**—An act to amend Sections 22443.1 and 22443.3 of, and to repeal Section 22442.4 of the Business and Professions Code, relating to immigration consultants.

Bill read third time.

**Motion to Amend**

Assembly Member Correa moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**BILLS PASSED ON FILE**

**Assembly Bills Nos. 2810 and 2813**—Passed on file.

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

**ASSEMBLY BILL NO. 2849 (Lowenthal)**—An act to amend Section 66602 of the Education Code, relating to the California State University.

Bill read third time.

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Haynes moved a call of the Assembly.

Motion carried. Time, 12:43 p.m.

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

**ASSEMBLY BILL NO. 2916 (Negrete McLeod)**—An act to amend Sections 35171, 35221, and 35231 of the Food and Agricultural Code, relating to milk products.

Bill read third time.

**Demand for Previous Question**

Assembly Members Frommer, Firebaugh, Lieber, Cohn, and Calderon demanded the previous question.

**Point of Personal Privilege**

Assembly Member Haynes arose to a point of personal privilege.

**Parliamentary Inquiry**

Assembly Member Mountjoy arose to the following parliamentary inquiry:

Is it the intent of the Presiding Office to limit debate on all measures to 1 member of the House?

**Reply by Speaker pro Tempore Yee**

Speaker pro Tempore Yee replied that a decision to limit debate is decided by a vote of the House.

**Further Consideration of Demand for the Previous Question**

The question being on the demand for the previous question as it relates to Assembly Bill No. 2916.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Haynes moved a call of the Assembly.

**Unanimous Consent Withheld**

Assembly Member Levine withheld unanimous consent.

**Haynes Motion for Call of the Assembly**

Assembly Member Haynes moved to place a call of the Assembly as it relates to the demand for the previous question on Assembly Bill No. 2916.

Assembly Member Mountjoy seconded the motion.

Haynes motion to place a call of the Assembly lost by the following vote:

**AYES—7**

Garcia	Houston	La Malfa	Wesson
Haynes	Keene	Spitzer	

**NOES—44**

Berg	Firebaugh	Lieber	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Matthews	Ridley-Thomas
Chavez	Horton, Jerome	Montanez	Salinas
Chu	Jackson	Mountjoy	Simitian
Cohn	Kehoe	Mullin	Vargas
Correa	Koretz	Nakano	Wiggins
Diaz	Laird	Nation	Wolk
Dutra	Leno	Negrete McLeod	Yee
Dymally	Levine	Oropeza	Mr. Speaker

**Vote Announced on Demand for Previous Question**

The following vote was announced by the Speaker pro Tempore and the demand for the previous question as relates to Assembly Bill No. 2916 was sustained by the following vote:

**AYES—45**

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

**NOES—7**

Garcia	Houston	La Malfa	Spitzer
Haynes	Keene	Mountjoy	

**Further Consideration of Assembly Bill No. 2916**

The question being on passage of the bill.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Haynes moved a call of the Assembly.

**Unanimous Consent Withheld**

Assembly Member Levine withheld unanimous consent.

**Haynes Motion for Call of the Assembly**

Assembly Member Haynes moved to place a call of the Assembly as it relates to Assembly Bill No. 2916.

Assembly Member Bogh seconded the motion.

Haynes motion to place a call of the Assembly lost by the following vote:

**AYES—8**

Bogh	Haynes	Houston	La Malfa
Garcia	Horton, Shirley	Keene	Spitzer

**NOES—44**

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

**Vote Announced on Assembly Bill No. 2916**

The following vote was announced by the Speaker pro Tempore and Assembly Bill No. 2916 passed by the following vote:

**AYES—46**

Berg	Goldberg	Lowenthal	Ridley-Thomas
Bermudez	Hancock	Maldonado	Salinas
Calderon	Horton, Jerome	Matthews	Simitian
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Jackson	Mullin	Vargas
Cohn	Kehoe	Nakano	Wesson
Daucher	Koretz	Nation	Wiggins
Diaz	Laird	Negrete McLeod	Wolk
Dutra	Leno	Oropeza	Yee
Dymally	Levine	Parra	Mr. Speaker
Firebaugh	Lieber	Pavley	
Frommer	Longville	Reyes	

**NOES—11**

Bogh	Haynes	La Suer	Plescia
Correa	Houston	Mountjoy	Spitzer
Garcia	Keene	Nakanishi	

**CALDERON REQUEST TO RETURN TO MOTIONS AND RESOLUTIONS**

Assembly Member Calderon was granted unanimous consent that the House return to Motions and Resolutions.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 124**

At 12:56 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceeding under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 124 by the following vote:

**AYES—32**

Aghazarian	Dutton	La Suer	Plescica
Bates	Garcia	Leslie	Samuelian
Benoit	Harman	Maldonado	Spitzer
Bogh	Haynes	Maze	Steinberg
Campbell	Horton, Shirley	McCarthy	Strickland
Canciamilla	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	Yee
Cox	La Malfa	Pacheco	Mr. Speaker

**NOES—33**

Berg	Dymally	Levine	Pavley
Bermudez	Firebaugh	Lieber	Reyes
Calderon	Hancock	Longville	Salinas
Chavez	Horton, Jerome	Lowenthal	Vargas
Chu	Jackson	Montanez	Wesson
Cohn	Kehoe	Mullin	Wiggins
Correa	Koretz	Nation	
Diaz	Laird	Oropeza	
Dutra	Leno	Parra	

**Motion to Reconsider Assembly Bill No. 124  
on Next Legislative Day**

Assembly Member Cogdill moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 124 were this day refused concurrence.

Assembly Bill No. 124 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2626**

At 12:58 p.m., on motion of Assembly Member Vargas, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2626 refused passage by the following vote:

**AYES—31**

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

**NOES—33**

Berg	Horton, Jerome	Lowenthal	Steinberg
Bermudez	Jackson	Montanez	Vargas
Calderon	Kehoe	Nation	Wesson
Chavez	Koretz	Oropeza	Wiggins
Chu	Laird	Parra	Yee
Correa	Leno	Pavley	Mr. Speaker
Diaz	Levine	Reyes	
Dutra	Lieber	Salinas	
Firebaugh	Longville	Simitian	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Assembly Bill No. 2626: Assembly Member Wiggins from "Aye" to "No".

**Motion to Reconsider Assembly Bill No. 2626  
on Next Legislative Day**

Assembly Member Plescia moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 2626 was this day refused passage.

Assembly Bill No. 2626 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2849**

At 1 p.m., on motion of Assembly Member Haynes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2849 passed by the following vote:

**AYES—46**

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

**NOES—18**

Bates	Garcia	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Spitzer
Campbell	Houston	Nakanishi	Strickland
Cox	Keene	Pacheco	
Daucher	La Malfa	Plescia	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY BILL NO. 2643**

At 1:02 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 2643 passed by the following vote:

**AYES—59**

Aghazarian	Frommer	Lieber	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Campbell	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Jackson	Montanez	Steinberg
Cohn	Keene	Mullin	Vargas
Correa	Kehoe	Nakanishi	Wesson
Daucher	Koretz	Nakano	Wiggins
Diaz	La Malfa	Nation	Wolk
Dutra	La Suer	Negrete McLeod	Wyland
Dutton	Laird	Oropeza	Yee
Dymally	Leno	Parra	Mr. Speaker
Firebaugh	Levine	Pavley	

**NOES—7**

Bogh	Cox	Houston	Spitzer
Calderon	Haynes	Mountjoy	

Bill ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT TO WAIVE JOINT RULE 62(a)**

Assembly Member Frommer requested unanimous consent to waive Joint Rule 62(a) to permit the Committee on Utilities and Commerce to hold an informational hearing on the Governor's Energy Proposal, on Monday, May 10th, at 1:30 p.m.

Assembly Member Cogdill withheld unanimous consent.

**Objection Withdrawn**

Assembly Member Cogdill withdrew his objection to the request by Assembly Member Frommer, and without objection Joint Rule 62(a) was waived to permit the Committee on Utilities and Commerce to meet on Monday, May 10th, at 1:30 p.m.

**At 1:03 p.m., Speaker Fabian Nunez, 46th district, presiding**

**COMMITTEE MEETING ANNOUNCEMENTS**

The following committee schedule was announced:

Committee on Education, today, upon adjournment of Floor session, in Room 4202;

Committee on Public Safety, today, upon adjournment of Floor session, in Room 126 in the Tom Bane Rules Committee meeting room;

Committee on Utilities and Commerce, today, upon adjournment of Floor session, in the Tom Bane Rules Committee meeting room.

**ADJOURN IN MEMORY**

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clarence Andre, of Turlock.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gerald Colwell, of Willits.

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of General Murray A. Bywater, of Moreno Valley.

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eileen Elizabeth Carhart, of Fair Oaks; and Bishop John Thompson, of Sacramento.

Assembly Member Dutra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Evelyn Nascimento, of Turlock.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dallas James Milat, of San Ramon.

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorothy A. Blake, of San Francisco.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kelly Shea Gallo, of South San Francisco and Bob Lacey, of Half Moon Bay.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter Thomas Lasek Jr., of Hanford.



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 Robert P. Deupree and Donald Edwin Sorensen, of Davis; Zanette Faye Seifert, of Dixon; Betty Ruth Barnes, Daniel Massey, and Wendy B. Rope, of Fairfield; Shane Trevor Lipary and Art Marquez, of Suisun City; Charles A. Boney, Gloria A. Crim, and Eldon S. Foster, of Vacaville; and Harold Kloss and Frank A. Montano, of Woodland.

#### VOTE ADDS

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

**Assembly Bill No. 1320, Concurrence:** Chavez, Chu, Correa, Jerome Horton, Koretz, Ridley-Thomas, and Simitian—Aye; Garcia, Houston, and Keene—No.

**Assembly Bill No. 2628:** Chavez, Chu, Correa, Houston, and Ridley-Thomas—Aye.

**Assembly Bill No. 2562:** Calderon, Chu, Correa, Houston, and Nation—Aye.

**Assembly Bill No. 1990:** Chu, Correa, Koretz, Nakano, Nation, and Simitian—Aye.

**Assembly Bill No. 2370:** Correa, Pavley, and Wesson—Aye; Mountjoy and Plescia—No.

**Assembly Bill No. 2407:** Correa, Pavley, and Wesson—Aye.

**Assembly Bill No. 2093:** Correa, Daucher, Dutton, Garcia, Keene, and Plescia—Aye; McCarthy, Nakanishi, and Samuelian—No.

**Assembly Bill No. 2132:** Correa, Daucher, Houston, and La Malfa—Aye; La Suer—No.

**Assembly Bill No. 1898:** Chu, Correa, and Samuelian—Aye; Daucher—No.

**Assembly Bill No. 2150:** Correa—Aye; Houston, Keene, La Malfa, La Suer, Mountjoy, and Wyland—No.

**Assembly Bill No. 2156:** Correa, Houston, Nation, Plescia, and Simitian—Aye; Mountjoy—No.

**Assembly Bill No. 2643, Demand for Previous Question:** Daucher—No.

**Haynes Motion for Call of Assembly:** Garcia, Houston, Keene, La Malfa, Spitzer, and Wesson—Aye; Mountjoy—No.

**Assembly Bill No. 2916, Demand for Previous Question:** Wesson—Aye; Garcia, Houston, Keene, La Malfa, and Spitzer—No.

**Assembly Bill No. 2916:** Daucher and Maldonado—Aye; Correa, Houston, Keene, La Suer, Mountjoy, Nakanishi, and Plescia—No.

**Assembly Bill No. 124, Concurrence:** Houston, Keene, and Steinberg—Aye.

**Assembly Bill No. 2626:** Mountjoy—Aye.

**Assembly Bill No. 2849:** Maldonado—Aye; Daucher, Keene, McCarthy, Mountjoy, Nakanishi, Plescia, and Samuelian—No.

**Assembly Bill No. 2643:** Daucher, Garcia, Jackson, Keene, McCarthy, and Wyland—Aye.

**MOTION TO ADJOURN**

At 1:03 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Calderon seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:04 p.m., Speaker Nunez declared the quorum call of the Assembly dispensed with.

**MESSAGES FROM THE SENATE**

Senate Chamber, May 6, 2004

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

Assembly Concurrent Resolution No. 191  
 Assembly Concurrent Resolution No. 212  
 Assembly Concurrent Resolution No. 214  
 Assembly Concurrent Resolution No. 215

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

Above resolutions ordered enrolled.

Senate Chamber, May 6, 2004

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

Senate Bill No. 1225  
 Senate Bill No. 1264  
 Senate Bill No. 1465  
 Senate Bill No. 1529  
 Senate Bill No. 1601

Senate Bill No. 1658  
 Senate Bill No. 1745  
 Senate Bill No. 1766  
 Senate Bill No. 1816

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

Senate Chamber, May 6, 2004

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

Senate Joint Resolution No. 28

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

**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

**SENATE BILL NO. 1225**—An act to amend Section 259 of the Code of Civil Procedure, and to amend Section 71601 of the Government Code, relating to courts.

**SENATE BILL NO. 1264**—An act to repeal Section 64.5 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 5019.15, 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

**SENATE BILL NO. 1465**—An act to amend Section 1985.6 of the Code of Civil Procedure, relating to the production of evidence.

**SENATE BILL NO. 1529**—An act to amend Sections 9, 202, 203, 204, 205, 252, 253, and 431 of, to amend the heading of Article 6 (commencing with Section 671) of Chapter 3 of Part 5 of, to add Section 202.5 to, to add Chapter 3.5 (commencing with Section 685) to Part 5 of, to repeal Sections 136, 671, and 673 of, to repeal Chapter 2 (commencing with Section 221) of Part 3 of, and to repeal Article 2 (commencing with Section 471) of Chapter 8 of Part 4 of, the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977), relating to the Monterey Peninsula Water Management District.

**SENATE BILL NO. 1601**—An act to amend Sections 31641.4 and 31664.65 of, and to add Section 31764.8 to, the Government Code, relating to county employees' retirement.

**SENATE BILL NO. 1658**—An act to amend Section 44251 of the Education Code, relating to school credentials.

**SENATE BILL NO. 1745**—An act to add Section 1271.15 to the Health and Safety Code, and to add Section 5675.2 to the Welfare and Institutions Code, relating to mental health.

**SENATE BILL NO. 1766**—An act to add Section 47605.2 to the Education Code, relating to charter schools.

**SENATE BILL NO. 1816**—An act relating to school employees.

The following resolution was read:

**SENATE JOINT RESOLUTION NO. 28**—Relative to gasoline.

**INTRODUCTION OF GUESTS**

Assembly Member Firebaugh, of the 50th Assembly District, introduced former Assemblymember Sally Havice.

Assembly Member Pavley, of the 41st Assembly District, introduced Ruth Coleman, Director, Department of Parks and Recreation (DPR); Mani Bergado, Superintendent, DPR; Alex Peabody, Lifeguard Supervisor, DPR; Eva Ross, Guide, DPR; Jim Houston, Maintenance Worker, DPR; and Rosario Cortés, Assistant Director of Legislation, DPR.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, May 10, 2004, or upon Call of the Speaker, out of respect to the memory of Clarence Andre, on motion of Assembly Member Aghazarian; out of respect to the memory of Gerald Colwell, on motion of Assembly Member Berg; out of respect to the memory of General Murray A. Bywater, on motion of Assembly Member Bogh; out of respect to the memory of Eileen Elizabeth Carhart and Bishop John Thompson, on motion of Assembly Member Cox; out of respect to the memory of Evelyn Nascimento, on motion of Assembly Member Dutra; out of respect to the memory of Dallas James Milat, on motion of Assembly Member Houston; out of respect to the memory of Dorothy A. Blake on motion of Assembly Member Leno; out of respect to the memory of Kelly Shea Gallo and Bob Lacey on motion of Assembly Member Mullin; out of respect to the memory of Walter Thomas Lasek Jr., on motion of Assembly Member Parra; and out of respect to the memory of Robert P. Deupree, Donald Edwin Sorensen, Zanette Faye Seifert, Betty Ruth Barnes, Daniel Massey, Wendy B. Rope, Shane Trevor Lipary, Art Marquez, Charles A. Boney, Gloria A. Crim, Eldon S. Foster, Harold Kloss, and Frank A. Montano, on motion of Assembly Member Wolk.

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FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MAY 6, 2004**

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

<b>AB</b>	<b>RN</b>
2041	0409454
2128	0409651
2197	0409742
2298	0409654
2333	0409404
2360	0409728
2590	0409810
2631	0409683
2691	0409767
2701	0409726
2702	0409655
2794	0409848
2804	0409406
2835	0409280
2926	0409762
2962	0409605
3044	0409892

<b>SB</b>	<b>RN</b>
37	0409814
749	0409334
849	0408712

<b>Daily Total:</b>	<b>20</b>
<b>Cumulative Total:</b>	<b>4382</b>

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