

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, June 27, 2003

NINETY-FIFTH SESSION DAY

TWO HUNDRED EIGHTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Friday, June 27, 2003

The Assembly met at 9 a.m.
Hon. Christine Kehoe, 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 Goldberg moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:08 a.m., Speaker pro Tempore Kehoe declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—79:

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

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Member Dave Cogdill, of the 25th Assembly District:

Father, We thank You for this beautiful day and for the opportunity that You give us to serve the great people of this State. Father, we just pray for wisdom in our deliberations today and we pray that we will be able to work together to provide the best solutions to the problems that confront us. All this we pray in Jesus' name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Negrete McLeod 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 Chan, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 27, 2003

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

Assembly Bill No. 252

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, June 27, 2003

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

Assembly Constitutional Amendment No. 17

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, June 27, 2003

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

Assembly Bill No. 685

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 27, 2003

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

Assembly Concurrent Resolution No. 38

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

AUTHOR'S AMENDMENTS
Committee on Higher Education

June 27, 2003

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Senate Bill No. 452

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

LIU, Chair

SENATE BILL NO. 452—An act to amend Sections 89260 and 89260.5 of, and to repeal Section 89260.7 of, the Education Code, relating to the California State University.

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

AUTHOR'S AMENDMENTS
Committee on Environmental Safety and Toxic Materials

June 27, 2003

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

Senate Bill No. 923

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

LAIRD, Chair

SENATE BILL NO. 923—An act to amend Section 12011 of the Fish and Game Code, and to amend Sections 13261, 13265, and 13269 of 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

June 27, 2003

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

Senate Bill No. 694

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

STEINBERG, Chair

SENATE BILL NO. 694—An act to amend Section 4750.7 of, and to repeal Sections 532, 2804.6, and 2813 of, the Public Resources Code, relating to public resources.

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

AUTHOR'S AMENDMENTS
Committee on Transportation

June 27, 2003

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

Senate Bill No. 315

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

DUTRA, Chair

SENATE BILL NO. 315—An act to amend Section 5463 of the Business and Professions Code, to amend Sections 65088.1 and 65089 of the Government Code, to amend Section 20351 of the Public Contract Code, to amend Sections 99315.8, 120050.2, 120051, 120051.6, and 120054 of, to add Section 120051.1 to, and to add Chapter 6 (commencing with Section 125700) to Division 11.5 of, the Public Utilities Code, to amend Sections 10753 and 10753.7 of the Revenue and Taxation Code, to amend Sections 188.8 and 302 of the Streets and Highways Code, and to amend Sections 1800, 1810, 1810.7, 4456, 4466, 5068, 5201, 6700, 9101, 9107, 11204, 12814, 15250.7, 16000, 16021, 16370.5, 16431, 24609, 27400, and 40508 of, and to add Section 11519 to, the Vehicle 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 Natural Resources

June 27, 2003

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 288

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

JACKSON, Chair

SENATE BILL NO. 288—An act to add Chapter 4.5 (commencing with Section 42500) to Part 4 of Division 26 of the Health and Safety Code, relating to air quality.

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 Judiciary

June 27, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 298
Senate Bill No. 515

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

CORBETT, Chair

SENATE BILL NO. 298—An act to amend Sections 3050 and 3066 of, and to add Section 3065.2 to, the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 515—An act to add Section 425.17 to the Code of Civil Procedure, relating to civil actions.

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

AUTHOR'S AMENDMENTS
Committee on Health

June 27, 2003

Mr. Speaker: The Chair of your Committee on Health reports:
Senate Bill No. 1005

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

FROMMER, Chair

SENATE BILL NO. 1005—An act to amend Sections 1279, 1280, 1280.1, and 1280.2 of, and to add Sections 1266.2 and 1279.1 to, the Health and Safety Code, relating to health facilities.

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

AUTHOR'S AMENDMENTS
Committee on Health

June 27, 2003

Mr. Speaker: The Chair of your Committee on Health reports:
Senate No. 260

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

FROMMER, Chair

SENATE BILL NO. 260—An act to amend Section 1367 of the Health and Safety 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 Local Government

June 27, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 806

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

SALINAS, Chair

SENATE BILL NO. 806—An act to amend Sections 65089.6, 65302, 66484, and 66484.3 of the Government Code, to amend Section 99150 of the Public Utilities Code, to amend Section 75.9 of the Streets and Highways Code, and to amend Sections 21101 and 35701 of the Vehicle Code, relating to land use.

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 Utilities and Commerce

June 27, 2003

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Senate Bill No. 183

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

REYES, Chair

SENATE BILL NO. 183—An act to amend Section 25401.6 of, and to add Chapter 8.6 (commencing with Section 25740) to Division 15 of the Public Resources Code, and to amend Sections 383.6, 394.25, 399.6, and 399.8 of, and to repeal Sections 383.5, 383.7, 399.6, 399.8, and 445 of, the Public Utilities Code, relating to energy.

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

June 27, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:
Senate Bill No. 93

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

SALINAS, Chair

SENATE BILL NO. 93—An act to amend Sections 25350, 25350.60, and 25537 of the Government Code, relating to county real property.

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 Judiciary

Date of Hearing: June 26, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Senate Bill No. 256

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

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 26, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Senate Bill No. 984

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

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 26, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Senate Bill No. 523

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.

CORBETT, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, June 27, 2003

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

- Assembly Bill No. 36
- Assembly Bill No. 282
- Assembly Bill No. 478

And respectfully requests the Assembly to concur in said amendments.

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

Above bills ordered to unfinished business file.

Senate Chamber, June 27, 2003

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

Assembly Bill No. 525

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

Above bill ordered enrolled.

Senate Chamber, June 27, 2003

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

Senate Bill No. 491

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

REQUEST FOR PHOTOGRAPHER

Assembly Members Haynes and Hancock were granted unanimous consent that a video/film crew be permitted on the Floor of the Assembly and in the Assembly Gallery.

JOINT RULE 62(a) WAIVED

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

Committee on Jobs, Economic Development and the Economy, to hear Senate Bills Nos. 103 and 973, on Monday, June 30, 2003;

Committee on Human Services, to hear Senate Bills Nos. 211, 577, and 947 on Tuesday, July 1, 2003; and the

Committee on Business and Professions, to hear Senate Bill No. 186, on Tuesday, July 1, 2003.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 172

Assembly Member Nakanishi was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 172; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on June 26, 2003 (Assembly Journal, page 2502); and whereby on June 23, 2003 (Assembly Journal, page 2487), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be placed upon the inactive file.

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

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 252, ordered to third reading.

(NOTE: Later this day Assembly Bill No. 252 was re-referred to the Committee on Appropriations.)

SENATE BILLS RETURNED TO SECOND READING FILE PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 210, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 642—An act to amend Section 485 of the Food and Agricultural Code, relating to quarantines.

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

SENATE BILL NO. 649—An act to add Section 20676 to the Public Contract Code, and to amend Sections 2207, 2717, and 2774 of the Public Resources Code, relating to mining.

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

SENATE BILL NO. 1025—An act to amend Section 12955.1 of the Government Code, relating to fair housing.

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. 540—An act to add Section 1569.628 to the Health and Safety Code, relating to residential care facilities for the elderly.

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

SENATE BILL NO. 90—An act to amend Section 1950.5 of the Civil Code, relating to tenancy.

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.

SENATE BILL NO. 577—An act to amend Section 1798.24b of the Civil Code, and to amend Sections 4514.3, 4900, 4901, 4902, 4903, 4905, and 5328.06 of the Welfare and Institutions Code, relating to public social services.

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 Human Services.

SENATE JOINT RESOLUTION NO. 3—Relative to the Temporary Assistance for Needy Families (TANF) program.

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

SENATE BILL NO. 27—An act to amend Sections 1798.80 and 1798.84 of, and to repeal and add Section 1798.83 to, the Civil Code, relating to personal information.

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 Banking and Finance.

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

Assembly Bill No. 252.

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

SENATE BILL NO. 155 (Scott)—An act to amend Section 1091 of the Government Code, relating to public officers.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 9:35 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 155**

At 9:40 a.m., on motion of Assembly Member Salinas, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 155 passed by the following vote:

AYES—46

Berg	Dymally	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Matthews	Ridley-Thomas
Chan	Horton, Jerome	Montanez	Salinas
Chavez	Houston	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Yee
Daucher	Levine	Oropeza	Mr. Speaker
Diaz	Lieber	Parra	
Dutra	Liu	Pavley	

NOES—24

Aghazarian	Harman	Maddox	Plescia
Bates	Haynes	Maldonado	Runner
Bogh	Keene	Maze	Samuelian
Campbell	La Malfa	McCarthy	Spitzer
Cox	La Suer	Mountjoy	Strickland
Dutton	Leslie	Pacheco	Wyland

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bills

SENATE BILL NO. 62 (Committee on Local Government)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

SENATE BILL NO. 63 (Committee on Local Government)—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

Bill read third time, passed, and ordered transmitted to the Senate.

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

SENATE BILL NO. 341 (Committee on Local Government)—An act to amend Sections 25210.4a, 53961, and 56036 of the Government Code, and to amend Section 8136 of, to add Part 4 (commencing with Section 9000) to Division 8 of, and to repeal Part 4 (commencing with Section 8890) of Division 8 of, the Health and Safety Code, relating to cemeteries.

Bill read third time, passed, and ordered transmitted to the Senate.

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

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—76

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

NOES—None

CAUCUS ANNOUNCEMENTS

At 9:41 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:42 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 2:12 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 27, 2003

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

Assembly Bill No. 1702

And reports the same correctly enrolled, and presented to the Governor on the 27th day of June, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, June 27, 2003

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

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 53

Assembly Concurrent Resolution No. 95

Assembly Joint Resolution No. 10

And reports the same correctly enrolled, and presented to the Secretary of State on the 27th day of June, 2003, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend the Rules to permit consideration of Assembly Bill No. 100, without reference to file, subsequent to adoption of proposed amendments.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend the Rules to permit consideration of Assembly Bill No. 100, without reference to file, subsequent to adoption of proposed amendments.

Assembly Member Nunez seconded the motion.

Motion for suspension of the Rules carried by the following vote:

AYES—45

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

NOES—22

Aghazarian	Cox	La Malfa	Runner
Bates	Daucher	La Suer	Spitzer
Benoit	Dutton	Maze	Strickland
Bogh	Harman	McCarthy	Wyland
Campbell	Haynes	Plescia	
Cogdill	Houston	Richman	

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

ASSEMBLY BILL NO. 100 (Oropeza)—An act for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.
Amendments read.

Point of Order

Assembly Member Haynes arose to the following point of order:
Assembly Bill No. 100 (Budget) does not conform to the requirements of Assembly Rule 66.7(b).

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that proposed amendments to Assembly Bill No. 100 are before the Body at this time.

The question being on the amendments proposed by Assembly Member Oropeza.

Amendments adopted by the following vote:

AYES—47

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

NOES—30

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

Bill ordered reprinted.

Consideration of Assembly Bill No. 100, Without Reference to File

ASSEMBLY BILL NO. 100 (Oropeza)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Assembly Member Haynes arose to the following point of order:

This budget bill is in violation of Assembly Rule 66.7(b).

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order not well-taken; it is the opinion of the Chair that Assembly Bill No. 100 meets the criteria set forth in Assembly Rule 66.7(b).

Motion to Appeal from the Decision of the Chair

Assembly Member Haynes moved to appeal from the decision of the Chair.

Assembly Member Mountjoy seconded the motion.

The question being: Shall the decision of the Chair that Assembly Bill No. 100 meets the criteria set forth in Assembly Rule 66.7(b) be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—30

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

NOES—47

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

Further Consideration of Assembly Bill No. 100

Assembly Rule 112 Suspended

Assembly Member Wesson was granted unanimous consent that Assembly Rule 112 be suspended to permit him to read a paper on the Floor of the Assembly.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption by the following vote:

AYES—47

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

NOES—30

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

**Motion to Reconsider Assembly Bill No. 100
on Next Legislative Day**

Assembly Member Oropeza moved to reconsider on the next legislative day the vote whereby the urgency clause to Assembly Bill No. 100 was this day refused adoption.

Assembly Bill No. 100 ordered to the unfinished business file.

OBJECTION TO VOTE ADDS AND CHANGES

Assembly Member Nunez withheld unanimous consent on any requests for vote adds or vote changes on the roll call vote taken on this day on Assembly Bill No. 100.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend the Rules to permit consideration of Senate Bill No. 1041, without reference to file, subsequent to adoption of proposed amendments.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend the Rules to permit consideration of Senate Bill No. 1041, without reference to file, subsequent to adoption of proposed amendments.

Assembly Member Nunez seconded the motion.

Motion for suspension of the Rules carried by the following vote:

AYES—47

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

NOES—30

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

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

SENATE BILL NO. 1041 (Committee on Budget and Fiscal Review)—An act relating to health.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—47

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

NOES—31

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

Consideration of Senate Bill No. 1041 Without Reference to File

SENATE BILL NO. 1041 (Committee on Budget and Fiscal Review)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

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

Point of Personal Privilege

Assembly Member Cogdill arose to a point of personal privilege.

Assembly Member Runner arose to a point of personal privilege.

The question being on the adoption of the urgency clause.

Urgency clause refused adoption by the following vote:

AYES—None

NOES—43

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

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No. 1041 was offered by Assembly Member Steinberg.)

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 690

Assembly Member Pacheco was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 690; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on June 25, 2003 (Assembly Journal, page 2502); and whereby on June 23, 2003 (Assembly Journal, page 2448), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of permitting the Special Committee on State Mandates to meet on Monday, June 30, 2003.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 210, on request of Assembly Member Chan.

MOTION TO RECONSIDER SENATE BILL NO. 1041 ON NEXT LEGISLATIVE DAY

Assembly Member Steinberg moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 1041 was this day refused adoption.

Senate Bill No. 1041 ordered to the unfinished business file.

POINT OF EXPLANATION

Assembly Member Nunez arose to a point of explanation.

ADJOURN IN MEMORY

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Terry Bennett, of the San Diego Police Department.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Laird announced that the Special Committee on State Mandates would meet on Monday, June 30, 2003 at 10 a.m., in Room 444.

ADJOURN IN MEMORY

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 Walter Dennis, of Two Rivers, Wisconsin.

VOTE ADDS

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

Senate Bill No. 155: Chavez, Corbett, Houston, and Ridley-Thomas—Aye; Bogh, Haynes, Maddox, Maldonado, and Spitzer—No.

Senate Bill No. 62, Consent Calendar: Bogh, Canciamilla, Chavez, Corbett, Haynes, Houston, Maddox, Nakanishi, Ridley-Thomas, and Spitzer—Aye.

Assembly Bill No. 100, Chan Motion to Suspend Rules: Canciamilla—Aye; Aghazarian, Bogh, Daucher, Houston, and Spitzer—No.

Assembly Bill No. 100, Oropeza Amendments: Canciamilla—Aye; Daucher—No.

Assembly Bill No. 100, Haynes Motion to Appeal From Decision of the Chair: Spitzer—Aye; Canciamilla—No.

Senate Bill No. 1041, Oropeza Amendments: Garcia—No.

MOTION TO ADJOURN

At 5:47 p.m., Assembly Member Oropeza moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Maze arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:48 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 43—Mountjoy (Coauthors: Benoit, Haynes, La Suer, Maddox, and Maze). Relative to the Child Medication Safety Act of 2003.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 27, 2003

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

Assembly Bill No. 383

Assembly Bill No. 1575

Assembly Bill No. 964

Assembly Bill No. 1610

Assembly Bill No. 1055

Assembly Bill No. 1639

Assembly Bill No. 1172

And reports the same correctly enrolled, and presented to the Governor on the 27th day of June, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 5:49 p.m., pursuant to the motion by Assembly Member Oropeza, the Assembly adjourned until noon, Monday, June 30, 2003, out of respect to the memory of Walter Dennis, on motion of Assembly Member Mullin; and out of respect to the memory of Officer Terry Bennett, on motion of Assembly Member Shirley Horton.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 27, 2003**

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

AB RN

100 rn315015

SB RN

27 0314687
 27 0315038
 90 0314568
 93 0314745
 183 0315049
 260 0314806
 288 0314807
 298 0314924
 315 0314638
 452 0314191
 515 0314755
 540 0314566
 577 0314209
 642 0314399
 649 0314263
 694 0314890
 806 0314883
 923 0314769
 1005 0314791
 1025 0314667
 1041 0314774

SJR RN

3 0314571

Daily Total:	22
Cumulative Total:	2243