

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, July 2, 2004

**TWO HUNDRED TWENTY-FOURTH SESSION DAY
FIVE HUNDRED SEVENTY-NINTH 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, July 2, 2004

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

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 11:01 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 11:18 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—75:

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

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Member Ken Maddox, of the 68th Assembly District:

Eternal God,

Let us enter this new day assured of Your steadfast love and dedicated to loyal service to the people of this state.

May we strive to have our words related to our deeds. Let our thinking be sharp, our lives seeking the goal of integrity and our actions decisive and courageous.

May we deeply ponder the many problems, but ever have our horizons expand.

In our Lord's name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Pavley 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 Ridley-Thomas and Wesson.

Because of illness: Assembly Member Maldonado.

The following Assembly Members were excused for the day, and their per diem was waived: Haynes and La Suer.

EXPLANATIONS OF ABSENCE

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

July 1, 2004

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

Dear Mr. Speaker: I write to request permission to be excused from Floor Session on Friday, July 2nd. I have an urgent Legislative matter that I must attend to in my District.

Thank you for your assistance in this matter. If you have any questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado, at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

July 2, 2004

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

Dear Speaker Nunez: I respectfully request permission to be excused from Session on Friday, July 2, 2004, for legislative business.

Sincerely,

HERB J. WESSON, JR.
Speaker Emeritus of the California Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Report on Salaries for
Occupations Comparable to Selected State Civil Service Classifications
(Pursuant to Government Code Section 19826 (c))**

Above transmitted report, together with letter of transmittal from Bob Painter, Chief, Policy and Operations Division, Department of Personnel Administration, dated June 25, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Specific Information Relevant to
State of California Salaries of Female-Dominated Classifications
(Pursuant to Government Code Section 19827.2)**

Above transmitted report, together with letter of transmittal from Bob Painter, Chief, Policy and Operations Division, Department of Personnel Administration, dated June 25, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Minority/Women/Disabled Veteran-Owned Business Enterprise
Ownership Report
(Pursuant to Government Code Section 11139.8)**

Above transmitted report, together with letter of transmittal from Shamim Khan, Deputy Director, Department of Motor Vehicles, dated June 23, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Cancer Research Program Annual Report to
the California State Legislature, 2002
(Pursuant to Health and Safety Code Section 104187 (l))**

Above transmitted report, together with letter of transmittal from Fran Burton, Deputy Director, Legislative and Governmental Affairs, Department of Health Services, dated June 22, 2004, referred by the Speaker to the Committee on Health.

**Department of Consumer Affairs 2002–2003 Annual Report
(Pursuant to Business and Professions Code Section 327)**

Above transmitted report, together with letter of transmittal from Charlene Zettel, Director, Department of Consumer Affairs, dated June 22, 2004, referred by the Speaker to the Committee on Business and Professions.

**AB 1758 Plan
(Pursuant to Assembly Bill 1758, Chapter 158, Statutes of 2003)**

Above transmitted report, together with letter of transmittal from Walter Allen III, Director, Department of Youth Authority, dated June 28, 2004, referred by the Speaker to the Committee on Budget.

**Annual Review of Electronic Informal Complaint Filing Procedures
(Pursuant to Senate Bill 531, Chapter 327, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated June 30, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**A New Process for Setting Salary and Benefit Levels for
Excluded and Exempt Employees in California State Service
(Pursuant to Assembly Bill 2477, Chapter 1044, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Larry Svetich, Vice Chairperson, State Excluded and Exempt Employees Salary-Setting Task Force, dated June 29, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

The following reports were presented by the Chief Clerk:

**Bureau of Field Enforcement
(Pursuant to Labor Code Section 90.5 (d))**

Referred by the Speaker to the Committee on Judiciary.

**Report on Unlawfully Uninsured Employer Enforcement Program
(Pursuant to Labor Code Section 90.3 (d))**

Referred by the Speaker to the Committee on Insurance.

**Crane Safety Program Revenues and Expenditures
(Pursuant to Labor Code Section 7384)**

Referred by the Speaker to the Committee on Labor and Employment.

**Hazard Evaluation System and Information Services (HESIS)
(Pursuant to Labor Code Section 147.2)**

Referred by the Speaker to the Committee on Health.

Above reports together with letter of transmittal from Michael Pro시오, Assistant Secretary, California Labor and Workforce Development Agency, Department of Industrial Relations, dated June 4, 2004, were referred to committees as noted above.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 2, 2004

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

Assembly Bill No. 434

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of July, 2004, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 2, 2004

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

Assembly Concurrent Resolution No. 245

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 2, 2004

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

Senate Bill No. 1543

Senate Bill No. 1548

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

CHU, Chair

SENATE BILL NO. 1543—An act to amend Sections 5000, 5015.6, 5076, 5100, 5109, 5134, and 22253.2 of, to amend, repeal, and add Sections 5050 and 5088 of, to add Sections 5025.2, 5025.3, 5063.3, and 22252.1 to, and to add Article 5.1 (commencing with Section 5096) and Article 6.5 (commencing with Section 5116) to Chapter 1 of Division 3 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

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

SENATE BILL NO. 1548—An act to amend Sections 801, 4800, 4804.5, 4832, 4833, 4836, 4842.2, 4842.5, and 4875.4 of, and to add Section 4830.7 to, the Business and Professions Code, and to add Section 597.6 to the Penal Code, relating to veterinary medicine, and making an appropriation therefor.

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

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 2, 2004

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

Senate Bill No. 1546

Senate Bill No. 1913

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

CHU, Chair

SENATE BILL NO. 1546—An act to amend Sections 1601.1, 1616.5, 1621, 1670.1, 1680, 1721, 1741, 1742, 4999.2, and 4999.7 of, to amend and repeal Sections 1753.5, 1754, and 1756 of, to amend, repeal, and add Sections 1725, 1741, 1750, 1751, 1752, 1753, and 1770 of, to add Sections 1750.1, 1750.2, 1750.3, 1752.5, 1753.1, and 1777 to, to add Article 9 (commencing with Section 1900) to Chapter 4 of Division 2 of, to repeal Sections 1760, 1760.5, 1761, 1762, 1763, 1764, 1765, 1766, 1772, 1774, 1775, and 1901 of, to repeal and add Section 1757 of, the Business and Professions Code, to amend Section 44876 of the Education Code, to amend Section 1348.8 of the Health and Safety Code, and to amend Section 14132 of the Welfare and Institutions Code, relating to healing arts, and making an appropriation therefor.

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

SENATE BILL NO. 1913—An act to amend Sections 28, 1054, 1274, 2041, 2082, 2087, 2107, 2274, 2317, 2420, 2423, 2462, 2532.6, 2570.14, 2902, 2915.7, 2936, 3750.5, 4005, 4030, 4059.5, 4076, 4081, 4101, 4114, 4200, 4207, 4409, 4980.395, 4990.4, 4996.18, 4996.20, and 4996.26 of, to amend and repeal Section 5810 of, to add Sections 1005, 2514, 2571, 3702.5, 3702.7, 3719.5, 3769.3, 4026.5, 4068, 4107, 4127.7, 4170.5, 4208, and 4209 to, and to repeal Section 2265 of, the Business and Professions Code, to amend Section 13401 of the Corporations Code, and to amend Sections 11159.1, 11207, and 111625 of the Health and Safety Code, relating to professions.

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

July 2, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 928

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

CHU, Chair

SENATE BILL NO. 928—An act to amend Section 1635.5 of, and to add Section 1635.7 to, the Business and Professions Code, relating to dentistry.

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

July 2, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 1360

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

CHU, Chair

SENATE BILL NO. 1360—An act to add Section 14107.12 to the Welfare and Institutions Code, relating to Medi-Cal.

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

MESSAGES FROM THE GOVERNOR

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

Governor's Office, Sacramento
July 1, 2004

To the Members of the Assembly:

Assembly Bill 687, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 687 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER

MESSAGES FROM THE SENATE

Senate Chamber, July 1, 2004

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

Assembly Bill No. 1260
Assembly Bill No. 1984

Assembly Bill No. 2069
Assembly Bill No. 2313

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

Above bills ordered enrolled.

Senate Chamber, July 1, 2004

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

Assembly Bill No. 2845

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

Above bill ordered enrolled.

Senate Chamber, July 1, 2004

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

Assembly Concurrent Resolution No. 168
Assembly Concurrent Resolution No. 178
Assembly Concurrent Resolution No. 221

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

Above resolutions ordered enrolled.

Senate Chamber, July 1, 2004

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

Assembly Joint Resolution No. 61
Assembly Joint Resolution No. 62
Assembly Joint Resolution No. 74

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

Above resolutions ordered enrolled.

Senate Chamber, July 1, 2004

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 224 | Assembly Bill No. 2010 |
| Assembly Bill No. 425 | Assembly Bill No. 2085 |
| Assembly Bill No. 539 | Assembly Bill No. 2137 |
| Assembly Bill No. 1091 | Assembly Bill No. 2237 |
| Assembly Bill No. 1232 | Assembly Bill No. 2292 |
| Assembly Bill No. 1299 | Assembly Bill No. 2370 |
| Assembly Bill No. 1466 | Assembly Bill No. 2723 |
| Assembly Bill No. 1818 | Assembly Bill No. 2734 |
| Assembly Bill No. 1881 | Assembly Bill No. 2795 |
| Assembly Bill No. 1884 | Assembly Bill No. 2821 |

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, July 1, 2004

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1356 | Assembly Bill No. 2502 |
| Assembly Bill No. 1801 | Assembly Bill No. 2538 |
| Assembly Bill No. 1910 | Assembly Bill No. 2562 |
| Assembly Bill No. 2167 | Assembly Bill No. 2669 |
| Assembly Bill No. 2196 | Assembly Bill No. 2911 |
| Assembly Bill No. 2407 | Assembly Bill No. 3063 |

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, July 1, 2004

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

- Assembly Bill No. 2018
- Assembly Bill No. 2351
- Assembly Bill No. 2835

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, July 1, 2004

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

- Assembly Concurrent Resolution No. 216
- Assembly Concurrent Resolution No. 240

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, July 1, 2004

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

- Assembly Joint Resolution No. 56

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, July 1, 2004

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

Assembly Joint Resolution No. 86

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, July 1, 2004

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

Senate Bill No. 1034

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

Senate Chamber, July 1, 2004

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

Senate Bill No. 1278
Senate Bill No. 1362

Senate Bill No. 1558
Senate Bill No. 1823

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

MEMBER PERMITTED TO ADDRESS THE BODY

Assembly Member Dymally was granted unanimous consent to address the Body relative to the 40th anniversary of the Civil Rights Act of 1964.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Frommer was granted unanimous consent that Senate Bills Nos. 1181, 1330, and 1912, be withdrawn from the Committee on Appropriations and placed on the second reading file.

SPECIAL COMMITTEE MEETINGS

Assembly Member Frommer was granted unanimous that the Committee on Health be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1373 for hearing.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 3118—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Assembly Bill No. 3118 Passed and Retained

By unanimous consent Assembly Bill No. 3118 was passed on file, to retain its place on file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 64—An act to amend the heading of Chapter 8.9 (commencing with Section 10089.70) of Part 1 of Division 2 of, and to amend Sections 10089.70, 10089.71, 10089.72, 10089.79, 10089.80, 10089.82, and 10089.84 of, the Insurance Code, relating to homeowners' insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 524—An act to add Section 51220.6 to the Education Code, and to amend and repeal Section 11101 of the Vehicle Code, relating to instruction.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 645—An act to amend Section 42297 of the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 647—An act to amend Sections 21083.8.1, 21108 and 21152 of the Public Resources Code, relating to environmental quality.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1271—An act to amend Section 17556 of the Government Code, and to repeal Chapter 1037 of the Statutes of 2000, relating to the Grant Joint Union High School District.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1301—An act to amend Sections 30504, 30804.7, 31751, and 31751.7 of, to amend and repeal Sections 30503 and 31751.3 of, and to repeal Sections 30526 and 31766 of the Food and Agricultural Code, relating to animals.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1313—An act to amend Sections 11165.1, 11165.3, 11165.5, 11165.6, 11165.7, 11165.12, 11166, 11166.01, 11166.05, 11166.5, 11167, 11167.5, 11169, 11170, 11170.5, and 11172 of, to amend and renumber Sections 11166.7, 11166.8, 11166.9, 11166.95, and 11174.4 of, to add an article heading immediately preceding Section 11174.32 to Chapter 2 of Title 1 of Part 4 of, and to repeal Section 11170.6 of, the Penal Code, and to amend Section 16513 of the Welfare and Institutions Code, relating to child abuse reporting.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1369—An act to amend Section 51182 of the Government Code, and to amend Section 4291 of the Public Resources Code, relating to fire protection.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1431—An act to add Section 5058.4 to the Penal Code, and to add Section 1752.05 to the Welfare and Institutions Code, relating to corrections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1567—An act to add Section 31165 to the Public Resources Code, relating to the San Francisco Bay Area Conservancy Program.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1571—An act to amend Section 25110 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1670—An act to amend Section 12309.5 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1687—An act to amend Section 1701 of the Labor Code, relating to employment.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1775—An act to amend Sections 4450 and 4454 of the Government Code, relating to disability access, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 246—An act to amend Section 6159 of the Government Code, to amend Section 1463.007 of the Penal Code, and to amend Sections 19280 and 19283 of the Revenue and Taxation Code, relating to courts.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 260—An act to add Section 6534 to the Government Code, relating to health care.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1085—An act to amend Sections 21464 and 42001 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1201—An act to amend Section 701.8 of the Public Utilities Code, relating to electrical restructuring, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1264—An act to repeal Sections 64.5 and 69.8 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 5019.15, 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 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1340—An act to amend Sections 84104, 84203, 84203.5, 84204, 90000, 90003, and 91013.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1353—An act to amend Sections 82030, 84106, and 84202.5 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1391—An act to amend Sections 6240 and 6389 of the Family Code, and to amend Section 13700 of the Penal Code, relating to domestic violence.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1435—An act relating to the Oakland Army Base.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1437—An act to add Section 8546.5 to the Government Code, relating to the State Auditor.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1449—An act to amend Section 85307 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1622—An act relating to the Oakland Estuary.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1643—An act to add Section 6718 to the Government Code, relating to state observances.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1764—An act to amend Section 120440 of the Health and Safety Code, relating to immunization.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1776—An act to add and repeal Sections 25550 and 25550.5 of the Public Resources Code, relating to energy resources.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1891—An act to amend Sections 25747, 25748, and 25751 of the Public Resources Code, and to amend Sections 399.11, 399.12, 399.13, 399.14, 399.15, 399.16, and 780.5 of, to amend and renumber Section 454.1 of, and to repeal Sections 383.5 and 445 of, the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1906—An act to amend Section 40433 of, and to add Section 40409 to, the Public Resources Code, relating to solid waste.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1159—An act to amend Sections 4145 and 4147 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 13.5 (commencing with Section 121285) to Part 4 of Division 105 of, the Health and Safety Code, relating to hypodermic needles and syringes.

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

SENATE BILL NO. 1516—An act to amend Sections 3043, 3043.2, 3043.25, and 3043.3 of the Penal Code, relating to parole.

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

SENATE BILL NO. 1555—An act to add Section 10123.865 to the Insurance Code, relating to health care benefits.

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

SENATE BILL NO. 1647—An act to amend Section 25503.6 of the Business and Professions Code, relating to alcoholic beverages.

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

SENATE BILL NO. 1163—An act to amend Section 798.38 of the Civil Code and Section 739.5 of the Public Utilities Code, relating to utilities.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

SENATE BILL NO. 1189—An act to amend Section 94 of the Streets and Highways Code, relating to transportation.

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

SENATE BILL NO. 1289—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

SENATE BILL NO. 1615—An act to amend Sections 43843 and 44004 of the Health and Safety Code, and to amend Section 4000.1 of, and to repeal Section 4000.2 of, the Vehicle Code, relating to air pollution.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

SENATE BILL NO. 1915—An act to amend Sections 144, 7069, 7090.1, and 7153.1 of the Business and Professions Code, relating to contractors, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 152 (Levine)—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56505.1, 56506, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education, 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.)

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:24 a.m.

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

ASSEMBLY BILL NO. 1596 (Frommer)—An act to amend Sections 1363.07, 1373.65, and 1373.96 of the Health and Safety Code, and to amend Sections 10113.8 and 10133.56 of the Insurance Code, relating to health care coverage.

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—70

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 509 (Jerome Horton)—An act to amend Sections 19596.1 and 19596.2 of, and to add Section 19596.3 to, the Business and Professions Code, relating to horse racing, making an appropriation therefor, 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.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

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

NOES—None

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

AYES—68

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

NOES—None

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Constitutional Amendment No. 25 and Senate Bill No. 1456 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 228 (Chavez)—Relative to video and computer games.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 228**

Assembly Member Chavez was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 228.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Calderon, Canciamilla, Chan, Chu, Cogdill, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Hancock, Harman, Jerome Horton, Shirley Horton, Jackson, Keene, Kehoe, Koretz, Laird, Leno, Leslie, Levine, Lieber, Liu, Lowenthal, Maddox, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Plescia, Reyes, Richman, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wiggins, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Chavez was granted unanimous consent to take up Assembly Concurrent Resolution No. 228, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 228, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 228—Relative to video and computer games.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 152

At 11:29 a.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 152 adopted by the following vote:

AYES—75

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

NOES—None

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

AYES—75

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

NOES—None

Above bill ordered enrolled.

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

SENATE JOINT RESOLUTION NO. 29 (Kuehl)—Relative to food marketing and advertising directed to children.

Resolution read, and presented by Assembly Member Cohn.

Members Made Coauthors of Senate Joint Resolution No. 29

Assembly Member Cohn was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Joint Resolution No. 29.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Berg, Bermudez, Chan, Chu, Cohn, Corbett, Daucher, Dutra, Dymally, Firebaugh, Frommer, Goldberg, Hancock, Shirley Horton, Jackson, Kehoe, Koretz, Laird, Leno, Levine, Lieber, Liu, Longville, Lowenthal, Montanez, Mullin, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Reyes, Salinas, Simitian, Steinberg, Vargas, Wolk, and Yee.

Request for Unanimous Consent

Assembly Member Cohn was granted unanimous consent to take up Senate Joint Resolution No. 29, as amended, without reference to print or file.

Consideration of Senate Joint Resolution No. 29, as Amended

SENATE JOINT RESOLUTION NO. 29—Relative to food marketing and advertising directed to children.

Resolution read, as amended, and adopted by the following vote:

AYES—47

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

NOES—24

Aghazarian	Cox	Leslie	Richman
Bates	Dutton	Maze	Runner
Benoit	Garcia	McCarthy	Samuelian
Bogh	Houston	Mountjoy	Spitzer
Campbell	Keene	Nakanishi	Strickland
Cogdill	La Malfa	Plescia	Wyland

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 1177 (Scott)—An act to amend Section 35294.21 of the Education Code, relating to school safety.

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

Bill passed by the following vote:

AYES—48

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

NOES—16

Aghazarian	Keene	Maze	Runner
Cox	La Malfa	Mountjoy	Samuelian
Harman	Leslie	Pacheco	Strickland
Houston	Maddox	Plescia	Wyland

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11:39 a.m., by unanimous consent, the members of the Committee on Health were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

SENATE BILL NO. 1134 (Chesbro)—An act to amend Section 1393.5 of the Labor Code, relating to employment.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1832 (Cedillo)—An act to amend Section 1812.601 of the Civil Code, and to amend Sections 72, 327.1, 2503.1, 2503.2, 2504, 2508, 3451, 3456, 3693, 3693.1, 3695, 3701, 3702, 3704, 3704.7, 3707, 3710, and 3716 of, to add Sections 3692.1, 3692.2, and 3692.3 to, and to repeal Sections 3450, 3453, 3454, 3457, and 3717.5 of, the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—71

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

NOES—None

Bill ordered transmitted to the Senate.

At 12:15 p.m., Assistant Speaker pro Tempore Sally Lieber, 22nd District, presiding

SENATE BILL NO. 1451 (Figueroa)—An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

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

CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1694 BY UNANIMOUS CONSENT

Assembly Member Wiggins was granted unanimous consent to take up consideration of Assembly Bill No. 1694, out of order.

ASSEMBLY BILL NO. 1694 (Wiggins)—An act to add Section 160 to the Penal Code, relating to bail services.

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—72

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

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1268 BY UNANIMOUS CONSENT**

Assembly Member Wiggins was granted unanimous consent to take up consideration of Assembly Bill No. 1268, out of order.

ASSEMBLY BILL NO. 1268 (Wiggins)—An act to add Section 65302.4 to the Government Code, relating to land use.

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—74

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

NOES—None

Above bill ordered enrolled.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Calderon was granted unanimous consent that Senate Bill No. 1355 be referred from the third reading file to the Committee on Health.

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

SENATE BILL NO. 29 (Figueroa)—An act to amend Sections 14148.03 and 14148.04 of the Welfare and Institutions Code, relating to Medi-Cal.

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

Bill passed by the following vote:

AYES—71

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

NOES—1

Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 615 (Cedillo)—An act to repeal and add Section 17140.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

AYES—73

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1626 (Poochigian)—An act to amend Section 129785 of the Health and Safety Code, relating to health facility construction, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—74

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 1880 (Committee on Revenue and Taxation)—An act to amend Section 24002.5 of the Government Code, and to amend Sections 217, 217.1, 220.5, 533, and 5365 of, and to repeal Sections 218.1 and 5180 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

At 12:26 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bill

SENATE BILL NO. 7 (Alpert)—An act to amend Section 8256 of, to repeal Sections 1299, 1722, 33312, and 33317 of, and to repeal Article 2 (commencing with Section 33502) of Chapter 4 of Part 20 of, the Education Code, relating to education.

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

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

MOTION TO ADJOURN

At 12:28 p.m., Assembly Member Mountjoy moved that the Assembly do now adjourn.

The Mountjoy motion to adjourn died for lack of a second to the motion.

ADJOURN IN MEMORY

Speaker pro Tempore Yee was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carl Rakosi, of San Francisco.

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 Richard “Dick” Larsen, of Santa Rosa.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Anthony Shumake, of Richmond and Armand Boulay, of El Cerrito.

Assembly Members Laird and Steinberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eric Thomas, of Sacramento.

RECESS

By unanimous consent, at 12:30 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 3:54 p.m., the Assembly reconvened.

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

MOTION TO ADJOURN

At 3:54 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Nakano seconded the motion.

Parliamentary Inquiry

Assembly Member Bogh arose to the following parliamentary inquiry:

Is a quorum present on the Floor?

Reply by Speaker pro Tempore Yee

The Speaker pro Tempore replied in the affirmative.

Request for Caucus

At 3:54 p.m., Assembly Member Strickland requested unanimous consent that the Republican Caucus be permitted to meet.

Unanimous consent was withheld.

Parliamentary Inquiry

Assembly Member Strickland arose to the following parliamentary inquiry:

Is it the intention of the Chair to adjourn the House, precluding consideration of local government legislation?

Reply by Speaker pro Tempore Yee

The Speaker pro Tempore replied that the question would be decided by the House.

Point of Order

Assembly Member Reyes arose to the following point of order:

The motion to adjourn takes precedence over all other motions.

Further Consideration of Frommer Motion to Adjourn

The question being on the Frommer motion to adjourn.

MOTION FOR CALL OF THE ASSEMBLY

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

Motion Ruled Out of Order

The motion for a Call of the Assembly was ruled out of order.

Vote Announced

The Frommer motion to adjourn carried by the following vote:

AYES—36

Berg	Frommer	Levine	Oropeza
Calderon	Goldberg	Lieber	Pavley
Chan	Hancock	Liu	Reyes
Chavez	Horton, Jerome	Longville	Simitian
Chu	Jackson	Lowenthal	Steinberg
Cohn	Kehoe	Montanez	Vargas
Corbett	Koretz	Mullin	Wiggins
Dymally	Laird	Nakano	Yee
Firebaugh	Leno	Nation	Mr. Speaker

NOES—15

Aghazarian	Cogdill	Garcia	Runner
Bates	Cox	McCarthy	Strickland
Benoit	Daucher	Parra	Wyland
Bogh	Dutton	Plescia	

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. 1596, Concurrence: Campbell, Canciamilla, Chavez, Chu, Corbett, Correa, Hancock, Jerome Horton, Shirley Horton, Houston, Kehoe, La Malfa, Longville, Nakanishi, Nation, Simitian, and Steinberg—Aye.

Assembly Bill No. 509, Urgency and Concurrence: Campbell, Hancock, Shirley Horton, Houston, Keene, Kehoe, La Malfa, Longville, Nakanishi, Nation, and Simitian—Aye.

Assembly Bill No. 152, Urgency and Concurrence: Campbell, Canciamilla, Hancock, Shirley Horton, Houston, Kehoe, Longville, Nation, and Simitian—Aye.

Senate Joint Resolution No. 29: Chu, Hancock, Shirley Horton, Nation, Pacheco, and Simitian—Aye; Campbell, Houston, and Wyland—No.

Senate Bill No. 1177: Bates, Hancock, Shirley Horton, Nation, and Simitian—Aye; Houston and Runner—No.

Senate Bill No. 1134: Bogh, Campbell, Canciamilla, Correa, Daucher, Dutton, Hancock, Shirley Horton, Houston, Nakanishi, Nation, Plescia, Simitian, Steinberg, Wolk, and Wyland—Aye.

Senate Bill No. 1910: Campbell, Canciamilla, Daucher, Hancock, Shirley Horton, Houston, La Malfa, Nakanishi, Nation, Plescia, Simitian, Steinberg, and Wyland—Aye.

Senate Bill No. 1832: Houston, Levine, Salinas, Simitian, and Wolk—Aye.

Assembly Bill No. 1694, Concurrence: Correa, Houston, Simitian, and Wolk—Aye.

Assembly Bill No. 1268, Concurrence: Correa, Houston, and Simitian—Aye.

Senate Bill No. 29: Correa, Houston, Runner, and Wolk—Aye.

Senate Bill No. 615: Correa, Houston, La Malfa, Nakano, and Wolk—Aye.

Senate Bill No. 1626 and Urgency: Correa, Houston, and Wolk—Aye.

Senate Bill No. 1880: Correa, Houston, La Malfa, and Wolk—Aye.

Consent Calendar: Correa and Houston—Aye.

Frommer Motion to Adjourn: Bates and Wyland—No.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:55 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: June 23, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1847

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.

Date of Hearing: June 30, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1654

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.

Date of Hearing: June 30, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1623

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

CHU, Chair

Above bill ordered to second reading.

Date of Hearing: June 30, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1840

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 Health

Date of Hearing: July 2, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 1373

With the recommendation: That Senate amendments be concurred in.

COHN, Chair

Above bill ordered to unfinished business file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 2, 2004

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

Assembly Bill No. 61

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of July, 2004, at 2:50 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:55 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 1 p.m., Tuesday, July 6, 2004, or upon Call of the Speaker, out of respect to the memory of Carl Rakosi, on motion of Speaker pro Tempore Yee; out of respect to the memory of Anthony Shumake and Armand Boulay, on motion of Assembly Member Hancock; out of respect to the memory of Eric Thomas, on motion of Assembly Members Laird and Steinberg; and out of respect to the memory of Richard "Dick" Larsen, on motion of Assembly Member Berg.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 2, 2004**

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

SB	RN	SB	RN
928	0413601	1543	0413787
1159	0413433	1546	0413706
1163	0413549	1548	0413793
1189	0413306	1555	0413489
1289	0413735	1615	0413224
1360	0413918	1647	0413046
1451	0413811	1913	0413768
1516	0413560	1915	0413629

Daily Total: 16

Cumulative Total: 5284

O