

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 3, 2003

NINETY-NINTH SESSION DAY

TWO HUNDRED FOURTEENTH 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
Thursday, July 3, 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 Mountjoy 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 9:12 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—77:

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

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

Our Father in Heaven, We thank You for giving us another day to live out Your expressed will and purpose. Give us this day the fortitude and courage to work for right though the heavens fall and bless us with Your presence and Your guidance today. In Thy Name we pray, AMEN!

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Cogdill 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 Nunez, seconded by Assembly Member Goldberg.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

Because of illness: Assembly Members Chan and Firebaugh.

Because of illness in his family: Assembly Member Samuelian.

COMMUNICATIONS

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

July 3, 2003

E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymembers Jackie Goldberg and Fabian Nunez to replace Assemblymembers Wilma Chan and Leland Yee on the Assembly Jobs, Economic Development and the Economy Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.

Speaker of the California Assembly

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2002-126
July 3, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the California Department of Transportation's (department) ability to deliver transportation projects.

This report concludes the department's ability to promptly deliver transportation projects is affected by low cash balances in the State Highway Account (highway account) and Traffic Congestion Relief Fund (TCRF), and consequently, delayed and canceled transportation projects will negatively affect the State's aging transportation system. Several factors caused the low cash balances in the highway account and TCRF. Loans from the highway account and TCRF to the State's General Fund drained cash reserves from these accounts at the same time the department saw highway account revenues from commercial-vehicle weight fees decrease. Further, uncertainties related to the Governor's midyear spending proposal and May 2003 budget revision caused the California Transportation Commission (commission) to halt all allocations to the Traffic Congestion Relief Program projects until the budget uncertainties are resolved. Moreover, the department's March 2003 cash forecast update is optimistic, and consequently the department could end fiscal year 2003-04 with a negative balance. Finally, the department and the commission have alternatives to fund projects in the short term. However, most of these alternatives also have the potential to decrease the future flexibility of scheduling projects for the State Transportation Improvement Program and one potential option available to the commission may be perceived as unfair, so the commission needs to carefully consider and set guidelines for their use.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 2, 2003

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

| | |
|-----------------------|------------------------|
| Assembly Bill No. 36 | Assembly Bill No. 1228 |
| Assembly Bill No. 241 | Assembly Bill No. 1495 |
| Assembly Bill No. 354 | Assembly Bill No. 1516 |
| Assembly Bill No. 580 | Assembly Bill No. 1573 |

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of July, 2003, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, July 2, 2003

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

- Assembly Concurrent Resolution No. 7
- Assembly Concurrent Resolution No. 19
- Assembly Concurrent Resolution No. 30
- Assembly Concurrent Resolution No. 35
- Assembly Concurrent Resolution No. 38
- Assembly Concurrent Resolution No. 54
- Assembly Concurrent Resolution No. 73

And reports the same correctly enrolled, and presented to the Secretary of State on the 2nd day of July, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Prison Construction and Operations, on July 31, 2003, upon adjournment of Floor session.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

| | | |
|-----------------|-------|------------------|
| <i>Senate</i> | | <i>Committee</i> |
| <i>Bill No.</i> | ----- | E.S. & T.M. |
| 1002 | | |

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

July 3, 2003

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports: Senate Bill No. 418

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

CANCIAMILLA, Chair

SENATE BILL NO. 418—An act to repeal and add Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code, relating to fish and wildlife, 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 3, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports: Senate Bill No. 940

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

STEINBERG, Chair

SENATE BILL NO. 940—An act to amend Section 77205 of the Government Code, to amend Section 1463.010 of the Penal Code, and to amend Section 19280 of the Revenue and Taxation Code, relating to courts.

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 Insurance

July 3, 2003

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

Senate Bill No. 551

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

VARGAS, Chair

SENATE BILL NO. 551—An act to add Section 758.5 to the Insurance Code, relating to auto insurance.

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

AUTHOR'S AMENDMENTS
Committee on Health

July 3, 2003

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

Senate Bill No. 24

Senate Bill No. 598

Senate Bill No. 937

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

FROMMER, Chair

SENATE BILL NO. 24—An act to add Section 124034 to the Health and Safety Code, and to add Sections 14148.03, 14148.04, and 14148.05 to the Welfare and Institutions 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.

SENATE BILL NO. 598—An act to repeal and add Section 56.104 of the Civil Code, relating to confidentiality of medical information.

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. 937—An act to amend Sections 1208, 1212, 1217, 1228, and 1231 of, and to add Sections 1218.1, 1226.1, 1226.2, 1226.3, and 1229.1 to, and to add and repeal Section 1218.2 of, the Health and Safety Code, relating to clinics.

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 3, 2003

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

Senate Bill No. 220

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

STEINBERG, Chair

SENATE BILL NO. 220—An act to add Section 17.1 to the Corporations Code, relating to business organizations.

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**

July 3, 2003

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

Senate Bill No. 1002

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

LAIRD, Chair

SENATE BILL NO. 1002—An act to amend Sections 25281 and 25297.1 of the Health and Safety Code, relating to hazardous substances and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS**Committee on Business and Professions**

July 3, 2003

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

Senate Bill No. 1022

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

CORREA, Chair

SENATE BILL NO. 1022—An act to add Title 2.97 (commencing with Section 1812.700) to Part 4 of Division 3 of the Civil Code, relating to debt collection.

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 Labor and Employment**

July 3, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 966

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

KORETZ, Chair

SENATE BILL NO. 966—An act to add Section 1781 to the Labor Code, relating to prevailing wages.

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

AUTHOR'S AMENDMENTS**Committee on Education**

July 3, 2003

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

Senate Bill No. 145

Senate Bill No. 892

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

GOLDBERG, Chair

SENATE BILL NO. 145—An act to amend Sections 56329, 56505, 56505.1, and 56506 of the Education Code, relating to special education.

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

SENATE BILL NO. 892—An act to add Section 35292.5 to the Education Code, relating to public schools.

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

July 3, 2003

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

Senate Bill No. 311

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

LAIRD, Chair

SENATE BILL NO. 311—An act to amend Section 116365 of the Health and Safety Code, relating to environmental health.

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

AUTHOR'S AMENDMENTS

Committee on Labor and Employment

July 3, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 578

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

KORETZ, Chair

SENATE BILL NO. 578—An act to amend Section 6108 of the Public Contract Code, relating to public contracts.

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

July 3, 2003

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

Senate Bill No. 189

Senate Bill No. 606

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

FROMMER, Chair

SENATE BILL NO. 189—An act to add Section 104324.25 to the Health and Safety Code, relating to environmental health.

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

SENATE BILL NO. 606—An act to amend Section 49455 of the Education Code, relating to pupil health.

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

AUTHOR'S AMENDMENTS
Committee on Education

July 3, 2003

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

Senate Bill No. 525
Senate Bill No. 556
Senate Bill No. 763

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

GOLDBERG, Chair

SENATE BILL NO. 525—An act to amend Sections 32228, 32228.1, 48900.1, 48902, and 48910 of, to repeal Sections 37252.2, 37252.8, and 42239.1 of, to repeal and add Section 37253 of, to repeal Article 6 (commencing with Section 32296) of Chapter 2.5 of Part 19 of, to repeal Chapter 16 (commencing with Section 53025) and Chapter 18 (commencing with Section 53091) of Part 28 of, and to repeal Chapter 5.5 (commencing with Section 58730) of Part 31 of, the Education Code, relating to education funding.

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. 556—An act to amend Sections 52122, 52123, 52124, and 52126 of the Education Code, relating to class size, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 763—An act to amend Section 17217 of the Education Code, relating to schoolsite acquisition.

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

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

| | |
|---------------------|---------------------|
| Senate Bill No. 59 | Senate Bill No. 308 |
| Senate Bill No. 75 | Senate Bill No. 353 |
| Senate Bill No. 127 | Senate Bill No. 377 |
| Senate Bill No. 129 | Senate Bill No. 565 |
| Senate Bill No. 144 | Senate Bill No. 690 |
| Senate Bill No. 237 | Senate Bill No. 777 |

With the recommendation: Do pass.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|---------------------|----------------------|
| Senate Bill No. 79 | Senate Bill No. 378 |
| Senate Bill No. 109 | Senate Bill No. 399 |
| Senate Bill No. 118 | Senate Bill No. 637 |
| Senate Bill No. 139 | Senate Bill No. 660 |
| Senate Bill No. 242 | Senate Bill No. 730 |
| Senate Bill No. 255 | Senate Bill No. 873 |
| Senate Bill No. 305 | Senate Bill No. 968 |
| Senate Bill No. 316 | Senate Bill No. 1068 |

With the recommendation: Do pass.

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

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 185

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

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 736

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.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 3

With the recommendation: Be adopted.

STEINBERG, Chair

Above resolution ordered to third reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Concurrent Resolution No. 4

With the recommendation: Be adopted.

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

STEINBERG, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 44

Assembly Joint Resolution No. 38

With the recommendation: Be adopted.

STEINBERG, Chair

Above resolutions ordered to third reading.

Committee on Local Government

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 10
- Senate Bill No. 392
- Senate Bill No. 806

With the recommendation: Do pass.

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

SALINAS, Chair

Above bills ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 833

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

SALINAS, Chair

Above bill ordered to second reading.

Committee on Agriculture

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Agriculture reports:

- Senate Bill No. 633

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

MATTHEWS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Local Government

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 654

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 787

With the recommendation: Do pass, and be re-referred to the Committee on Banking and Finance with recommendation: To Consent Calendar.

SALINAS, Chair

Above bill re-referred to the Committee on Banking and Finance.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

- Senate Bill No. 149

With the recommendation: Do pass, and be re-referred to the Committee on Elections, Redistricting and Constitutional Amendments.

SALINAS, Chair

Above bill re-referred to the Committee on Elections, Redistricting and Constitutional Amendments.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 999

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

SALINAS, Chair

Above bill re-referred to the Committee on Natural Resources.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:
Senate Bill No. 906

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

SALINAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: July 3, 2003

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Senate Bill No. 103

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

RIDLEY-THOMAS, Chair

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

Committee on Insurance

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Insurance reports:
Senate Bill No. 200

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

VARGAS, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 582

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

FROMMER, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Appropriations reports:
Senate Bill No. 114

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

STEINBERG, Chair

Above bill ordered to second reading.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Assembly Bill No. 1436, on request of Assembly Member Runner;
Senate Bill No. 902, on request of Assembly Member Nunez.

RE-REFERENCE OF BILLS

Assembly Member Nunez was granted unanimous consent that Senate Bill No. 1076 be re-referred from the Committee on Aging and Long-Term Care to the Committee on Health.

JOINT RULE 62(a) WAIVED

Assembly Member Nunez was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 1076 for hearing in the Committee on Health on Tuesday, July 8, 2003; and the Committee on Environmental Safety and Toxic Materials to hear Senate Bill No. 1002, on Tuesday, July 8, 2003.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Nunez was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the following committees to hear the following bills, pending re-referral to the committee:

Committee on Environmental Safety and Toxic Materials, to hear Senate Bill No. 20 on Tuesday, July 8, 2003;

Committee on Education, to hear Senate Bill No. 338 on Wednesday, July 9, 2003.

ADJOURN IN MEMORY

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Philip Longfellow Anderson, of La Cañada Flintridge.

(Assembly Rule 45.5 suspended.)

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 252 be withdrawn from the Committee on Appropriations and placed on the second reading file.

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

ASSEMBLY BILL NO. 685—An act to amend Section 120917 of the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 496—An act to add Chapter 8.6 (commencing with Section 13879.80) to Title 6 of Part 4 of the Penal Code, relating to drug endangered children.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 538—An act to amend Sections 65863.10 and 65863.13 of the Government Code, relating to housing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 181—An act to amend Section 116287 of the Health and Safety Code, relating to drinking water.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 67—An act to amend Sections 399.12 and 399.14 of the Public Utilities Code, relating to energy.

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

SENATE BILL NO. 920—An act to amend Sections 352 and 372 of, to add Section 345.3 to, to repeal Section 350 of, to repeal Article 4 (commencing with Section 355) and Article 5 (commencing with Section 359) of, and to repeal and add Article 2 (commencing with Section 334) of Chapter 2.3 of Part 1 of, the Public Utilities Code, relating to public utilities.

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

SENATE BILL NO. 2—An act to add Part 8.5 (commencing with Section 2020) to Division 2 of the Labor Code, relating to health care coverage.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 544—An act to add Section 27337 to the Government Code, relating to veterans.

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

SENATE BILL NO. 965—An act to amend Section 1011 of the Military and Veterans Code, relating to veterans.

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

SENATE BILL NO. 125—An act to amend Section 4850 of the Labor Code, relating to workers' compensation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 176—An act to add Section 11752.9 to the Insurance Code, relating to workers' compensation insurance.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 841—An act to amend Section 1861.02 of the Insurance Code, relating to automobile insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 711—An act to add Section 21080.06 to the Public Resources Code, relating to environmental quality.

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. 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, 399.8, and 399.12 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; amendments proposed by the Committee on Utilities and Commerce read and adopted, bill ordered reprinted and to be re-referred to the Committee on Natural Resources.

UNFINISHED BUSINESS**CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 376 (Chu)—An act to amend Section 5771 of, and to add and repeal Section 5772.5 of, the Welfare and Institutions Code, relating to mental health.

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—75

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1105 (Jackson)—An act to amend Section 803 of the Penal Code, relating to identity theft.

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—75

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY CONCURRENT RESOLUTION NO. 17 (Cogdill)—Relative to highways.

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—77

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

NOES—None

Above resolution ordered enrolled.

ADJOURN IN MEMORY

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leonard Koppett, of Los Altos Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Steinberg and Hancock were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alameda County Superior Court Judge Richard B. "Dick" Iglehart.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Oropeza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kimberly Collins, of Sacramento.

(Assembly Rule 45.5 suspended.)

REQUEST TO SUSPEND**ASSEMBLY RULE 56 AND JOINT RULE 62(a)**

Assembly Member Nunez requested unanimous consent to suspend Assembly Rule 56 and Joint Rule 62(a) to permit the Committee on Jobs, Economic Development and the Economy to hear Senate Bill No. 103 today, upon adjournment of Floor session, and to permit the Committee on Revenue and Taxation to hear the bill on Monday, July 7, 2003, pending re-referral.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 56 and Joint Rule 62(a)

Assembly Member Nunez moved that Assembly Rule 56 and Joint Rule 62(a) be suspended to permit the Committee on Jobs, Economic Development and the Economy to hear Senate Bill No. 103 today, upon adjournment of Floor session, and to permit the Committee on Revenue and Taxation to hear the bill on Monday, July 7, 2003, pending re-referral.

Assembly Member Goldberg seconded the motion.

Motion for suspension of Assembly Rule 56 and Joint Rule 62(a) carried by the following vote:

AYES—43

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

NOES—29

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 29 (Benoit)—Relative to Daniel J. Muehlhausen Memorial Highway.

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

NOES—None

Above resolution ordered enrolled.

ASSEMBLY BILL NO. 80 (Bogh)—An act to amend Section 31485.7 of, and to add Section 31641.55 to, the Government Code, relating to county employees’ retirement.

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—73

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

NOES—None

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 100 and Senate Bill No. 1041 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 578 (Leno)—An act to add Section 27362 to, to add Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3 of, and to repeal Sections 27279.4 and 27398 of, the Government Code, relating to county recorders, and declaring the urgency thereof, to take effect immediately.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

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

ASSEMBLY JOINT RESOLUTION NO. 36 (Dutton)—Relative to veterans benefits.

Resolution read, and adopted by the following vote:

AYES—77

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

NOES—None

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE JOINT RESOLUTION NO. 10 (Soto)—Relative to Medicare prescription drug coverage.

Resolution read, presented by Assembly Member Pacheco, and adopted by the following vote:

AYES—74

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Joint Resolution No. 10: Assembly Member Jackson, from “No” to “Aye”.

Resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 10 (Battin)—Relative to tribal gaming.

Resolution read, presented by Assembly Member Garcia, and adopted by the following vote:

AYES—74

| | | | |
|-------------|-----------------|----------------|---------------|
| 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 | Spitzer |
| Chavez | Horton, Shirley | McCarthy | Steinberg |
| Chu | Houston | Montanez | Strickland |
| Cogdill | Keene | Mullin | Vargas |
| Cohn | Kehoe | Nakanishi | Wiggins |
| Corbett | Koretz | Nakano | Wolk |
| Correa | La Malfa | Nation | Wyland |
| Cox | La Suer | Negrete McLeod | Yee |
| Daucher | Laird | Nunez | Mr. Speaker |
| Diaz | Leno | Oropeza | |
| Dutra | Leslie | Pacheco | |

NOES—None

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 774 (Wiggins)—An act to amend Section 46144 of the Education Code, relating to vocational education.

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—77

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

NOES—None

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

Assembly Member Nakano announced that the Democratic Caucus would meet today, upon adjournment of Floor session, in the Assembly Lounge.

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

ASSEMBLY BILL NO. 1537 (Wyland)—An act to amend Section 51221.3 of the Education Code, relating to curriculum.

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—75

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

NOES—None

Above bill ordered enrolled.

JOINT RULE 62(a) WAIVED

Assembly Member Nunez was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in committee, as noted:

Senate Bills Nos. 67, 183, 999, and 1074, in the Committee on Natural Resources on Monday, July 7, 2003, and

Senate Bill No. 787, in the Committee on Banking and Finance, on Monday, July 7, 2003.

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

ASSEMBLY BILL NO. 1746 (Committee on Budget)—An act to make an appropriation in augmentation of the Budget Act of 2002, relating to health services, to take effect immediately as an appropriation for the usual current expenses of the state.

Bill presented by Assembly Member Oropeza.

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—65

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

NOES—5

| | | |
|--------|---------|----------|
| Dutton | Haynes | Mountjoy |
| Garcia | La Suer | |

Above bill ordered enrolled.

BILLS REMOVED FROM CONSENT CALENDAR

The following bill was removed from the Consent Calendar, and placed on the third reading file, pursuant to Joint Rule 22.2:

Senate Bill No. 458, on request of Assembly Member Corbett.

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. 523 (Escutia)—An act to amend Section 912 of the Civil Code, relating to construction defects.

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

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced the following session schedule:

Saturday, July 5, 2003, Floor Session, upon Call of the Speaker;
Sunday, July 6, 2003, Floor Session, 4 p.m.

ADJOURN IN MEMORY

Assembly Member Bermudez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Paul T. Nakamura, of Santa Fe Springs.

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marie Burkenheim, of North Hollywood and Billie Feinstein, of San Fernando Valley.

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. 376, Concurrence: Bates, Canciamilla, Frommer, Jerome Horton, Shirley Horton, Keene, Longville, Lowenthal, Maldonado, and Wyland—Aye.

Assembly Bill No. 1105, Concurrence: Canciamilla, Frommer, Jerome Horton, Keene, Longville, Maldonado, and Wyland—Aye.

Assembly Concurrent Resolution No. 17, Concurrence: Canciamilla, Frommer, Jerome Horton, Keene, Longville, and Maldonado—Aye.

Senate Bill No. 103, Nunez Motion to Suspend Assembly Rule 56 and Joint Rule 62(a): Chavez—Aye; Keene, Maddox, and Maldonado—No.

Assembly Concurrent Resolution No. 29, Concurrence: Chavez, Jerome Horton, Keene, Levine, and Maddox—Aye.

Assembly Bill No. 80, Concurrence: Jerome Horton and Simitian—Aye.

Assembly Joint Resolution No. 36: Jerome Horton and Simitian—Aye.

Senate Joint Resolution No. 10: Jerome Horton and Simitian—Aye.

Senate Concurrent Resolution No. 10: Diaz and Jerome Horton—Aye.

Assembly Bill No. 774, Concurrence: Daucher and Jerome Horton—Aye.

Assembly Bill No. 1537, Concurrence: Jerome Horton and Nation—Aye.

Assembly Bill No. 1746, Concurrence: Canciamilla, Jerome Horton, Houston, and Maldonado—Aye; Dutton and Garcia—No.

Consent Calendar: Jerome Horton—Aye.

MOTION TO ADJOURN

At 9:54 a.m., Assembly Member Bogh moved that the Assembly do now adjourn.

Assembly Member Reyes seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:55 a.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, July 3, 2003

Mr. Speaker: I request permission to suspend Joint Rule 61(a) 9 as it relates to Senate Bill No. 191.

JUAN VARGAS

Above request ordered transmitted to the Committee on Rules.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 3, 2003

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

Assembly Bill No. 282

Assembly Bill No. 769

Assembly Bill No. 478

Assembly Bill No. 1254

Assembly Bill No. 605

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of July, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

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

Governor's Office, Sacramento

July 3, 2003

To the Members of the Assembly:

AB 1746, 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 AB 1746 as an emergency measure.

Sincerely,

GRAY DAVIS

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 3, 2003

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

Assembly Bill No. 1746

And reports the same correctly enrolled, and presented to the Governor on the 3rd day of July, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, July 3, 2003

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

Assembly Bill No. 416

Assembly Bill No. 1361

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 3, 2003

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

Assembly Concurrent Resolution No. 110

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

July 3, 2003

*Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 110 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, July 3, 2003

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

Senate Concurrent Resolution No. 38

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 38—Relative to Valley Fever Awareness Month.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bogh, the Assembly adjourned until 4 p.m., Sunday, July 6, 2003, or upon Call of the Speaker, out of respect to the memory of Rev. Philip Longfellow Anderson, on motion of Assembly Member Liu; out of respect to the memory of Leonard Koppett, on motion of Assembly Member Simitian; out of respect to the memory of Paul T. Nakamura, on motion of Assembly Member Bermudez; out of respect to the memory of Marie Burkenheim and Billie Feinstein, on motion of Assembly Member Levine; out of respect to the memory of Judge Richard B. “Dick” Iglehart, on motion of Assembly Members Steinberg and Hancock; and out of respect to the memory of Kimberly Collins, on motion of Assembly Member Oropeza.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 3, 2003**

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

AB RN
578 0315168

SB RN
24 0315564
67 0315364
145 0315250
183 0315396
189 0315585
220 0315321
311 0315560
418 0315581
525 0315141
544 0314734
551 0315419
556 0315622
578 0315558
598 0315050
606 0314737
711 0315346
763 0315393
892 0315572
920 0315383
937 0315185
940 0315418
965 0315415
966 0315386
1002 0315631
1022 0315567

Daily Total: 26
Cumulative Total: 2326