

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, July 7, 2003**

**ONE HUNDRED FIRST SESSION DAY  
TWO HUNDRED EIGHTEENTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Monday, July 7, 2003

The Assembly met at 11 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 Benoit 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 11:08 a.m., Speaker pro Tempore Kehoe declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—78:

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	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	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

**PRAYER**

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

*Lord, Having celebrated our Nation's Independence Day this past weekend, we acknowledge that freedom and liberty are not only inalienable rights of all men and women, but also treasured gifts that You, Lord, have given to all persons. For wherever Your Spirit is, Lord, there is freedom. (2 Corinthians 3:17) More than attributes of a political independence, help us to understand that freedom and liberty are conditions of the human soul. And as our hearts struggle to be liberated from the passions of this world, help us to recognize of the presence of You, Lord, within each other.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Aghazarian then led the Assembly in the pledge of allegiance to the Flag.

**MOTION TO DISPENSE WITH READING OF THE JOURNAL**

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Chan, seconded by Assembly Member Cogdill.

**LEAVES OF ABSENCE FOR THE DAY**

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

*Because of illness: Assembly Members Daucher and Firebaugh.*

**COMMUNICATIONS**

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

July 7, 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 Assemblymember Jackie Goldberg to fill the vacancy on the Assembly Revenue and Taxation Committee for today's hearing only.

Sincerely,

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

July 7, 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 Assemblymember Greg Aghazarian to replace Assemblymember Tony Strickland on the Assembly Banking and Finance Committee for today's hearing only.

Sincerely,

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

July 2, 2003

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

RE: Appointment of Edward Wilson  
to San Gabriel and Lower Los Angeles  
Rivers and Mountains Conservancy

Dear Mr. Wilson: Please be advised I have appointed Councilmember Edward Wilson to the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. This is a term appointment starting July 2, 2003 and the expiration date is July 2, 2005. Councilmember Wilson will be replacing Mr. Hector De La Torre.

Sincerely,

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

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Senate</i>		<i>Committee</i>
<i>Bill No.</i>	_____	Ins.
<b>457</b>		
<i>Senate Constitutional</i>		<i>Committee</i>
<i>Amendment No.</i>	_____	G.O. and E.,R. & C.A.
<b>1</b>		

**SPECIAL COMMITTEE MEETINGS**

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

Local Government, on Wednesday, July 9, 2003, at 1:30 p.m.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

July 7, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 221

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

STEINBERG, Chair

**SENATE BILL NO. 221**—An act to amend Section 1029 of the Government Code, and to amend Sections 13503, 13506, 13510.1, and 13519.8 of, and to add Section 13510.7 to, the Penal Code, relating to peace officers.

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 7, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Senate Bill No. 361

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

CORREA, Chair

**SENATE BILL NO. 361**—An act to amend Sections 4001, 4002, 4003, 4008, 4062, 4200, 4202, 4312, 4400, and 4403 of, and to add Sections 4083, 4106, 4200.2, 4200.3, 4200.4, 4314, and 4315 to, the Business and Professions Code, relating to pharmacy.

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 7, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Senate Bill No. 584

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

CORREA, Chair

**SENATE BILL NO. 584**—An act to add Section 17531.3 to the Business and Professions Code, relating to advertising.

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 7, 2003

Mr. Speaker: The Chair of your Committee on Education reports:  
Senate Bill No. 677

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

GOLDBERG, Chair

**SENATE BILL NO. 677**—An act to amend Section 49431 of the Education Code, relating to 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.

**REPORTS OF STANDING COMMITTEES****Committee on Public Safety**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 131

Senate Bill No. 824

Senate Bill No. 238

Senate Bill No. 993

Senate Bill No. 631

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

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 752

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

LENO, Chair

Above bill ordered to second reading.

**Committee on Transportation**

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 802

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

DUTRA, Chair

Above bill ordered to second reading.

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 799

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

DUTRA, 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. 728

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.

**Committee on Housing and Community Development**

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 54

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

LOWENTHAL, Chair

Above bill ordered to second reading.

**Committee on Local Government**

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 93

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

SALINAS, Chair

Above bill ordered to second reading.

**Committee on Judiciary**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 262

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

CORBETT, Chair

Above bill ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 515

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

CORBETT, Chair

Above bill ordered to second reading.

**Committee on Water, Parks and Wildlife**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 196

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

CANCIAMILLA, Chair

Above bill ordered to second reading.

**Committee on Governmental Organization**

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 812

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

JEROME HORTON, Chair

Above bill ordered to second reading.

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 88

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

JEROME HORTON, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 7, 2003

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

Assembly Bill No. 117  
 Assembly Bill No. 365  
 Assembly Bill No. 427  
 Assembly Bill No. 464

Assembly Bill No. 504  
 Assembly Bill No. 647  
 Assembly Bill No. 1019  
 Assembly Bill No. 1538

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 7, 2003

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

Assembly Bill No. 569  
 Assembly Bill No. 583  
 Assembly Bill No. 690  
 Assembly Bill No. 767

Assembly Bill No. 965  
 Assembly Bill No. 1092  
 Assembly Bill No. 1125  
 Assembly Bill No. 1173

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 7, 2003

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

Assembly Bill No. 88  
 Assembly Bill No. 96  
 Assembly Bill No. 138  
 Assembly Bill No. 142  
 Assembly Bill No. 223  
 Assembly Bill No. 266  
 Assembly Bill No. 348  
 Assembly Bill No. 362  
 Assembly Bill No. 398  
 Assembly Bill No. 475  
 Assembly Bill No. 566

Assembly Bill No. 617  
 Assembly Bill No. 693  
 Assembly Bill No. 702  
 Assembly Bill No. 853  
 Assembly Bill No. 867  
 Assembly Bill No. 935  
 Assembly Bill No. 1043  
 Assembly Bill No. 1106  
 Assembly Bill No. 1274  
 Assembly Bill No. 1772

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

Above bills ordered enrolled.

Senate Chamber, July 7, 2003

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

Assembly Concurrent Resolution No. 31  
 Assembly Joint Resolution No. 9

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

Above resolutions ordered enrolled.



**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 458**, on request of Assembly Member Chan.

**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. 118**, on request of Assembly Member Chan.

**SUSPEND THE RULES—****ASSEMBLY RULE 56 AND JOINT RULE 62(a)**

Assembly Member Chan was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the following committees to notice hearing of bills in the Assembly Daily File pending re-referral to the committee:

Health, to hear Senate Bill No. 200, on Tuesday, July 8, 2003;

Local Government, to hear Senate Bill No. 707, on Wednesday, July 9, 2003.

**JOINT RULE 62(a) WAIVED**

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 277 for hearing in the Committee on Water, Parks and Wildlife on Tuesday, July 8, 2003.

**BILLS REMOVED FROM CONSENT CALENDAR  
AND PLACED UPON THE INACTIVE FILE**

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2, and placed upon the inactive file:

**Senate Bill No. 730**, on request of Assembly Member Yee.

**RE-REFERENCE OF BILLS AND JOINT RULE 62(a) WAIVER**

Assembly Member Chan was granted unanimous consent that Senate Bill No. 965 be re-referred from the Committee on Appropriations to the Committee on Housing and Community Development, that Joint Rule 62(a) be waived for the purpose of setting the bill for hearing in the Committee on Housing and Community Development on Wednesday, July 9, 2003.

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

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

**Senate Bills Nos. 185 and 114**, ordered to third reading;

**Senate Bill No. 736**, ordered to the Consent Calendar.

**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 374 (Chan)**—An act to add and repeal Section 31580.3 of the Government Code, relating to county employees' retirement systems.

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—78**

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	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	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 610 (Diaz)**—An act to amend Sections 17587 and 17592.5 of the Education Code, relating to public schools.

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 805 (Diaz)**—An act to amend Section 798.56 of the Civil Code, relating to mobilehomes.

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

**NOES—1**

Haynes

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 924 (Maldonado)**—An act to amend Section 602.8 of the Penal Code, relating to crimes.

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—76**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY CONCURRENT RESOLUTION NO. 39 (Chan)**—Relative to the San Francisco-Oakland Bay Bridge.

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

(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—76**

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

**NOES—None**

Above resolution ordered enrolled.

**ASSEMBLY BILL NO. 812 (Yee)**—An act to add Section 5027.1 to the Public Resources Code, relating to historic places.

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

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

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 11:25 a.m.

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

**ASSEMBLY BILL NO. 416 (La Suer)**—An act to amend Section 8802 of the Family Code, relating to adoption.

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

#### NOES—None

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1361 (McCarthy)**—An act to amend Section 1950.7 of the Civil Code, relating to tenancy.

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	Frommer	Liu	Plescia
Bates	Garcia	Longville	Reyes
Benoit	Goldberg	Lowenthal	Richman
Berg	Hancock	Maddox	Ridley-Thomas
Bermudez	Harman	Maldonado	Runner
Bogh	Haynes	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	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Diaz	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 Bills Nos. 1041 and 1043 were continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY JOINT RESOLUTION NO. 38 (Firebaugh)**—Relative to federal formula grants to states.

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

**AYES—69**

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

**NOES—3**

Haynes	La Malfa	La Suer
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Resolution ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 812**

At 11:44 a.m., on motion of Assembly Member Yee, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 812 by the following vote:

**AYES—45**

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

**NOES—30**

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

Above bill ordered enrolled.

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

**SENATE BILL NO. 455 (Torlakson)**—An act to amend Sections 1695.7 and 1695.8 of the Civil Code, relating to home equity sales contracts.

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

Bill passed by the following vote:

**AYES—50**

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

**NOES—27**

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

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

**AYES—48**

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

**NOES—27**

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

Bill ordered transmitted to the Senate.



**SENATE BILL NO. 265 (Kuehl)**—An act to amend Section 3044 of the Family Code, relating to child custody.

Bill read third time, and present by Assembly Member Corbett.

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 2 (Burton)**—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 third time, and present by Assembly Member Frommer.

Bill passed by the following vote:

**AYES—45**

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

**NOES—30**

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

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 59 (Escutia)**—An act to add Section 366.28 to the Welfare and Institutions Code, relating to adoption.

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

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

**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.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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	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	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescía
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	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	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Senate Bills**

**SENATE BILL NO. 496 (Alpert)**—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 third time, passed, and ordered transmitted to the Senate.

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

**SENATE CONCURRENT RESOLUTION NO. 4 (Morrow)**—Relative to the California Law Revision Commission.

Resolution read, adopted, and ordered transmitted to the Senate.

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

**Consent Calendar Roll Call**

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

**AYES—77**

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

**NOES—None****ADJOURN IN MEMORY**

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Doug Liebert, of Fair Oaks.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN HONOR**

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of Nicholas Steven Samuelian, born on July 3, 2003.

**ADJOURN IN MEMORY**

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jovette Jones, of Yucca Valley.

(Assembly Rule 45.5 suspended.)

**ANNOUNCEMENTS**

Speaker pro Tempore Kehoe announced the following session schedule:

Tuesday, July 8, 2003, Check-in Session, 7 a.m.–3 p.m.; Floor Session upon Call of the Speaker;

Wednesday, July 9, 2003, Check-in Session, 7 a.m.–3 p.m.; Floor Session upon Call of the Speaker;

Thursday, July 10, 2003, Floor Session 10:30 a.m.

**ADJOURN IN MEMORY**

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Shelly Lynn Allen, of Palmdale.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lois B. O'Brien, of Davis and Gladys B. Stille, of Woodland.

**VOTE ADDS**

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

**Assembly Bill No. 374, Concurrence:** Bates, Calderon, Canciamilla, Corbett, Correa, Garcia, Hancock, Haynes, Jerome Horton, Shirley Horton, Keene, Koretz, Leno, Leslie, Nakano, Nation, Pacheco, Simitian, and Spitzer—Aye.

**Assembly Bill No. 610, Concurrence:** Bates, Calderon, Canciamilla, Corbett, Correa, Garcia, Hancock, Haynes, Shirley Horton, Keene, Koretz, Leno, Leslie, Nakano, Nation, Pacheco, Simitian, Spitzer, and Steinberg—Aye.

**Assembly Bill No. 805, Concurrence:** Bates, Calderon, Canciamilla, Corbett, Correa, Garcia, Hancock, Shirley Horton, Keene, Leno, Leslie, Nakano, Nation, Pacheco, Simitian, and Spitzer—Aye; Haynes—No.

**Assembly Bill No. 924, Concurrence:** Bates, Calderon, Canciamilla, Corbett, Correa, Garcia, Hancock, Shirley Horton, Keene, Leno, Leslie, Nakano, Nation, and Simitian—Aye.

**Assembly Concurrent Resolution No. 39, Concurrence:** Calderon, Canciamilla, Corbett, Correa, Garcia, Hancock, Shirley Horton, Keene, Leno, Nakano, and Simitian—Aye.

**Assembly Bill No. 416, Concurrence:** Calderon, Canciamilla, Corbett, Correa, Goldberg, Hancock, Shirley Horton, Jackson, Keene, Leno, Nakano, and Simitian—Aye.

**Assembly Bill No. 1361, Concurrence:** Corbett, Correa, Hancock, Shirley Horton, Keene, Nakano, and Simitian—Aye.

**Assembly Joint Resolution No. 38:** Maldonado and Simitian—Aye.

**Assembly Bill No. 812, Concurrence:** Simitian—Aye; Garcia—No.

**Senate Bill No. 455:** Bogh, Harman, Maldonado, Richman, and Simitian—Aye; Dutton, La Suer, and Spitzer—No.

**Senate Bill No. 538:** Correa, Diaz, and Simitian—Aye; Bogh, Keene, Maldonado, and Spitzer—No.

**Senate Bill No. 265:** Chavez, McCarthy, and Simitian—Aye.

**Senate Bill No. 2:** Chavez, Correa, and Simitian—Aye.

**Senate Bill No. 59:** Hancock and Simitian—Aye.

**Assembly Bill No. 578 and Urgency:** Jackson and Simitian—Aye.

**MOTION TO ADJOURN**

At 12:01 p.m., Assembly Member Oropeza moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:02 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

**JOINT RULE 62(a) WAIVED**

Unanimous consent was granted that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in the Committee on Banking and Finance on Tuesday, July 8, 2003, at 1 p.m. or upon adjournment of the Public Safety Committee hearing:

Senate Bills Nos. 25, 27, 146, 283, 562, 602, 684, 735, 787, and 1.

**REPORTS OF STANDING COMMITTEES****Committee on Natural Resources**

Date of Hearing: July 7, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 20

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials.

JACKSON, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

**ADJOURNMENT**

At 3:55 p.m., pursuant to the motion by Assembly Member Oropeza the Assembly adjourned until 7 a.m., Tuesday, July 8, 2003, out of respect to the memory of Lois B. O'Brien and Gladys B. Stille, on motion of Assembly Member Wolk; out of respect to the memory of Doug Liebert, on motion of Assembly Member Corbett; out of respect to the memory of Jovette Jones, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Shelly Lynn Allen, on motion of Assembly Member Runner; and in honor of the birth of Nicholas Steven Samuelian, on motion of Assembly Member Strickland.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 7, 2003**

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

<b>SB</b>	<b>RN</b>	
221	0315362	
361	0315682	
584	0315517	
677	0315557	
<b>Daily Total:</b>		<b>4</b>
<b>Cumulative Total:</b>		<b>2341</b>

O