

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, July 14, 2003

ONE HUNDRED FIFTH SESSION DAY

TWO HUNDRED TWENTY-FIFTH 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
Monday, July 14, 2003

The Assembly met at 12 noon.
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 Mullin moved a quorum call of the Assembly.
Motion carried. Time, 12:01 p.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 12:08 p.m., Speaker pro Tempore Kehoe declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—73:

Aghazarian	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, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	Lieber	Pavley	

PRAYER

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

Our Father in Heaven, Thank You for another day and another opportunity that this assembly has to serve the people of this great State. It is with anticipation of hope in You that we seek Your will this afternoon. Give each member here a great sense of purpose, steadfastness, and honor as they serve. Teach us today, not to lean on our own understanding, but to acknowledge You in all our ways, for it is then that we will fully realize Your blessings. So we thank You in advance, O God.—AMEN!

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Shirley Horton 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:

On legislative business: Assembly Members Bates, Nunez, and Spitzer.

On personal business, and waiving per diem: Assembly Member Dymally.

Because of illness: Assembly Members Firebaugh and Jerome E. Horton.

Because of illness in his family: Assembly Member Dutra.

EXPLANATIONS OF ABSENCE

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

July 14, 2003

*The Honorable Herb Wesson
Speaker of the State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

The purpose of this letter is to respectfully request permission to be absent for Floor Session on Monday, July 14th, 2003.

I will be conducting legislative business within my district.

Thank you in advance for your prompt attention to this matter. Should you have any questions, please contact my Chief of Staff Cory Botts at 319-2073.

Sincerely,

PATRICIA C. BATES, Assembly Member
Seventy-third District

Wednesday, July 9, 2003

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on Monday, July 14, 2003. I will be conducting legislative business with regard to my bill, AB 25.

Your courtesy and cooperation with regard to the above is greatly appreciated.

Sincerely,

FABIAN NUÑEZ, Assembly Member
 Forty-sixth District

July 14, 2003

The Honorable Herb Wesson
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California

Dear Mr. Speaker: This letter is to request that I be excused from session on legislative business on Monday, July 14, 2003, as I was conducting legislative business in the district.

Thank you for your consideration.

Sincerely,

TODD A. SPITZER, Assembly Member
 Seventy-first District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 11, 2003

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

Assembly Concurrent Resolution No. 31
 Assembly Concurrent Resolution No. 39
 Assembly Joint Resolution No. 9

And reports the same correctly enrolled, and presented to the Secretary of State on the 11th day of July, 2003, at 3:15 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS **Committee on Insurance**

July 14, 2003

Mr. Speaker: The Chair of your Committee on Insurance reports:
 Senate Bill No. 673

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

VARGAS, Chair

SENATE BILL NO. 673—An act to add Article 11 (commencing with Section 12640.21) to Chapter 2A of Part 6 of Division 2 of the Insurance Code, relating to mortgage guaranty 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 Revenue and Taxation

July 14, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 848

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

CHAVEZ, Chair

ASSEMBLY BILL NO. 848—An act to add Sections 17250.8 and 24349.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

RECEIPT FOR COMMITTEE REPORT

The following committee report was received on Friday, July 11, 2003 pursuant to the provisions of Joint Rule 61(a)(9):

Committee on Banking and Finance

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Banking and Finance reports:
Senate Bill No. 25

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

WIGGINS, Chair

Above bill re-referred to the Committee on Appropriations.

REPORTS OF STANDING COMMITTEES
Committee on Aging and Long-Term Care

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Aging and Long-Term Care reports:
Senate Bill No. 428

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

DAUCHER, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Higher Education reports:
Senate Bill No. 81

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

LIU, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Higher Education reports:
Senate Bill No. 971

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

LIU, Chair

Above bill ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: July 9, 2003

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 624

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

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 292

Senate Bill No. 376

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

FROMMER, Chair

Above bills ordered to second reading.

Committee on Public Safety

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 877

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

LENO, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 1081

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

FROMMER, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 853

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.

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 969

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

FROMMER, Chair

Above bill ordered to second reading.

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 130

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

FROMMMER, Chair

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: July 8, 2003

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

Senate Bill No. 418

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 Banking and Finance

Date of Hearing: July 8, 2003

Mr. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 146

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

WIGGINS, Chair

Above bill ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: July 9, 2003

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Concurrent Resolution No. 11

With amendments with the recommendation: Amend, and be adopted as amended.

NEGRETE McLEOD, Chair

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

July 14, 2003

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

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 187. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bills Nos. 684 and 728, on request of Assembly Member Chan.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1347

Assembly Member Maze was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1347; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on July 1, 2003 (Assembly Journal, page 2587); and whereby on June 30, 2003 (Assembly Journal, page 2568), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

BILL RETURNED TO SENATE

Assembly Member Keene was granted unanimous consent that Assembly Bill No. 1641 be returned to the Senate for further action.

ADJOURN IN MEMORY

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peter J. Cooley, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Cox and Steinberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles "Babe" Anderson, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Al DeWitt, of Alameda.

(Assembly Rule 45.5 suspended.)

**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. 348, on request of Assembly Member Lowenthal.

ADJOURN IN MEMORY

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Buddy Ebsen, of Agoura Hill.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lance Cpl. Jason Andrew Tetrault, of Moreno Valley.

(Assembly Rule 45.5 suspended.)

ACTION RESCINDED ON SENATE BILL NO. 110

Assembly Member Correa was granted unanimous consent to rescind the action whereby the Assembly, on June 23, 2003 (Assembly Journal, page 2491), passed Senate Bill No. 110, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 110 by Unanimous Consent

Assembly Member Correa was granted unanimous consent to take up Senate Bill No. 110 without reference to file, for purpose of amendment.

SENATE BILL NO. 110 (Margett)—An act to amend Sections 3400 and 10129 of the Public Contract Code, relating to public contracting.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

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

**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. 128, 274, and 345, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 36—An act to add Section 14132.100 to the Welfare and Institutions Code, relating to Medi-Cal.

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

SENATE BILL NO. 814—An act to amend Sections 19801, 19876, 19962, and 19963 of the Business and Professions Code, relating to gambling.

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

SENATE BILL NO. 162—An act to amend Sections 8869.80 and 8869.84 of the Government Code, relating to state government.

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

SENATE BILL NO. 178—An act to amend Section 1954.53 of the Civil Code, relating to rent control.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 223—An act to repeal and add Section 4600.1 of the Labor Code, relating to workers' compensation.

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

SENATE BILL NO. 899—An act to amend Section 139.3 of the Labor Code, relating to workers' compensation.

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

SENATE BILL NO. 1007—An act to amend Section 11656.6 of the Insurance Code, relating to workers' compensation.

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

SENATE BILL NO. 1071—An act to amend Section 5307.11 of the Labor Code, relating to workers' compensation.

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

SENATE BILL NO. 380—An act to add Section 162.3 to the Streets and Highways Code, and to add Section 21655.10 to the Vehicle Code, relating to highways.

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

SENATE BILL NO. 552—An act to amend Section 14666.6 of the Government Code, relating to state property.

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

SENATE BILL NO. 248—An act to amend Sections 415, 426, 3001, 3003, 3051, and 3062 of the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 842—An act to add Section 60061.8 to the Education Code, relating to instructional materials.

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

SENATE BILL NO. 700—An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, 40731, 41511.5, 42301.16, 42301.17, and 44559.9 to, the Health and Safety Code, relating to air 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. 644—An act to amend Sections 45330, 45344.5, and 45361.5 of the Education Code, relating to paraprofessionals.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 674—An act to amend Section 37700 of the Education Code, relating to schooldays.

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

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

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

SENATE BILL NO. 65—An act to amend Section 35182.5 of the Education Code, relating to school district governing boards.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 401—An act to amend Section 9410 of the Government Code, relating to legislative committee hearings.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1004—An act to add Chapter 8.5 (commencing with Section 13610) to Division 7 of the Water Code, relating to perchlorate.

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

SENATE BILL NO. 1076—An act to amend Sections 444.20, 444.22, 444.24, and 1771.7 of the Health and Safety Code, relating to consumer assistance.

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

SENATE BILL NO. 635—An act to amend Sections 1797.98c and 1797.98e of the Health and Safety Code, relating to emergency medical services.

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

SENATE BILL NO. 1075—An act to add Section 138.6 to the Health and Safety Code, relating to women's health.

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

SENATE BILL NO. 191—An act to amend Sections 11735, 11736, and 11737 of, and to add Sections 11732.7, 11732.8, 11735.5, and 11742 to, the Insurance Code, relating to workers' compensation insurance.

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

SENATE BILL NO. 228—An act to amend Sections 62.5, 4603.2, and 5402 of, to add Section 3823 to, to repeal Sections 5307.2 and 5307.21 of, and to repeal and add Section 5307.1 of, the Labor Code, relating to workers' compensation.

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

SENATE BILL NO. 229—An act to add Sections 11823 and 11823.5 to the Insurance Code, relating to workers' compensation.

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

SENATE BILL NO. 354—An act to amend Section 11760 of, and to add Section 11661.8 to, the Insurance Code, and to amend Sections 138.6, 139.3, 4062, 4903, 5304, 5502, 5502.5, and 5703 of, to add Sections 4610, 4611, and 5814.3 to, to add Article 2.3 (commencing with Section 4615) to Chapter 2 of Part 2 of Division 4 of, to add and repeal Section 4612 of, to repeal Sections 4614 and 4614.1 of, and to repeal and add Section 4604 of, the Labor Code, relating to workers' compensation insurance.

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

SENATE BILL NO. 757—An act to add Sections 77.5 and 5307.27 to the Labor Code, relating to workers' compensation.

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

SENATE BILL NO. 197—An act to add Section 559 to the Labor Code, relating to hours and wages.

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

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

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1173 (Haynes)—An act to amend Section 798.21 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—70

Aghazarian	Dutton	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, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chan	Keene	Montanez	Simitian
Chavez	Kehoe	Mountjoy	Steinberg
Chu	Koretz	Mullin	Strickland
Cogdill	La Malfa	Nakanishi	Vargas
Cohn	La Suer	Nakano	Wolk
Corbett	Laird	Nation	Wyland
Correa	Leno	Negrete McLeod	Yee
Cox	Leslie	Oropeza	Mr. Speaker
Daucher	Levine	Pacheco	
Diaz	Lieber	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1527 (Frommer)—An act relating to health care coverage.

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

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

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—1

Frommer

NOES—72

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

ASSEMBLY BILL NO. 1528 (Cohn)—An act relating to health care coverage.

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

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

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—1

Cohn

NOES—72

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

ASSEMBLY BILL NO. 418 (Pacheco)—An act to amend Section 415.20 of, and to add Section 415.95 to, the Code of Civil Procedure, relating to civil actions.

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 781 (Lieber)—An act to add Article 3.5 (commencing with Section 51430) to Chapter 3 of Part 28 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—73

Aghazarian	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, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 878 (Pavley)—An act to amend Sections 6055 and 6077.6 of, and to add Section 6084.2 to, the Harbors and Navigation Code, and to add Section 69.5 to the Humboldt Bay Harbor, Recreation, and Conservation District Act (Chapter 1283 of the Statutes of 1970), relating to harbor districts.

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1117 (Matthews)—An act to amend Section 8555 of the Public Resources Code, relating to grazing lands.

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
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	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, Senate Bills Nos. 1041 and 1043, and Senate Joint Resolution No. 3 were continued until Thursday, July 17, 2003.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 487 (Torlakson)—An act to amend Section 56857 of the Government Code, relating to local agency reorganization.

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

Bill passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 116 (Dunn)—An act to amend Section 798.51 of, and to add Sections 798.74.4 and 799.10 to, the Civil Code, relating to mobilehome parks.

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

Bill passed by the following vote:

AYES—73

Aghazarian	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, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 812 (Vincent)—An act to add Section 6719 to, and to repeal Section 6718 of, the Government Code, and to repeal Section 1 of Chapter 155 of the Statutes of 2002, relating to Juneteenth National Freedom Day.

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

Bill passed by the following vote:

AYES—73

Aghazarian	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, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 255 (Ducheny)—An act to add Section 12077.5 to the Penal Code, relating to firearms.

Bill read third time.

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.

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

ASSEMBLY BILL NO. 1168 (Berg)—An act to amend Sections 5093.54 and 5093.545 of the Public Resources Code, relating to rivers.

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—66

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

NOES—1

Haynes

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1168: Assembly Member Bogh, from “No” to “Aye”.

Above bill ordered enrolled.

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. 1063 (Committee on Revenue and Taxation)—An act to amend Sections 1610.8, 1614, 3371, 3692, 3698.5, 3698.7, 4112, 4675, and 5104 of, to add Sections 3794.3 and 4672.3 to, and to repeal Sections 1612 and 1613 of, the Revenue and Taxation Code, relating to taxation.

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

AYES—73

Aghazarian	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, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Keene	Mountjoy	Strickland
Chu	Kehoe	Mullin	Vargas
Cogdill	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Oropeza	Mr. Speaker
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Members Mountjoy and Runner were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Gregory Molden, of Victorville.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeffrey Nicholson, of Los Angeles; and Jimmy Rideau, of Los Angeles.

Speaker pro Tempore Kehoe was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brian J. Keeling, of San Diego.

Assembly Members Cox and Laird were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peter Cary Stolp, of Carmichael.

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 Steven D. Baker, of Fairfield.

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. 1173, Concurrence: Bogh, Chu, Daucher, Diaz, Hancock, Koretz, Laird, Levine, Montanez, Nakanishi, Simitian, and Vargas—Aye.

Assembly Bill No. 1527, Concurrence: Bogh, Daucher, Koretz, Montanez, Nakanishi, Simitian, Vargas, and Wyland—No.

Assembly Bill No. 1528, Concurrence: Bogh, Daucher, Koretz, Nakanishi, Negrete McLeod, Simitian, and Vargas—No.

Assembly Bill No. 418, Concurrence: Bogh, Cohn, Correa, Daucher, Koretz, Nakanishi, Nakano, Simitian, and Vargas—Aye.

Assembly Bill No. 781, Concurrence: Bogh, Correa, Daucher, Koretz, and Simitian—Aye.

Assembly Bill No. 878, Concurrence: Bogh, Correa, Daucher, Goldberg, Koretz, and Simitian—Aye.

Assembly Bill No. 1117, Concurrence: Bogh, Correa, Daucher, Koretz, and Simitian—Aye.

Senate Bill No. 487: Correa, Simitian, and Vargas—Aye.

Senate Bill No. 116: Vargas—Aye.

Assembly Bill No. 1168, Concurrence: Aghazarian, Dutton, Nakanishi, and Plescia—Aye.

Consent Calendar: Keene—Aye.

MOTION TO ADJOURN

At 12:47 p.m., Assembly Member Chan moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

REMARKS ON CONDITION OF THE FILE

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

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:50 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 121—La Suer (Coauthor: Senator Hollingsworth). Relative to the Semper Fi Highway.

ASSEMBLY JOINT RESOLUTION NO. 46—Shirley Horton and Kehoe (Principal coauthors: Senators Oller and Torlakson). Relative to congressional displays of child art.

REPORTS OF STANDING COMMITTEES

Committee on Housing and Community Development

Date of Hearing: July 9, 2003

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

Senate Bill No. 619

Senate Bill No. 965

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

LOWENTHAL, Chair

Above bills ordered to second reading.

Committee on Local Government

Date of Hearing: July 9, 2003

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 707

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 Education

Date of Hearing: July 9, 2003

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 556

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

GOLDBERG, Chair

Above bill ordered to second reading.

Date of Hearing: July 9, 2003

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 338

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

GOLDBERG, Chair

Above bill ordered to second reading.

INTRODUCTION OF GUESTS

Assembly Member Nakano, of the 53rd Assembly District, introduced Hon. Torahachiro Nishioka, Hon. Masanori Tomori, Hon. Hiroaki Yamamoto, Hon. Eiji Morita, Hon. Satoshi Nakanishi, and Hon. Toshihiko Takeishi, Assembly Members of the Kochi Prefecture, Japan.

ADJOURNMENT

At 12:47 p.m., pursuant to the motion by Assembly Member Chan, the Assembly adjourned until 7 a.m., Tuesday, July 15, 2003, out of respect to the memory of Peter J. Cooley, on motion of Assembly Member Matthews; out of respect to the memory of Charles "Babe" Anderson, on motion of Assembly Members Cox and Steinberg; out of respect to the memory of Al DeWitt, on motion of Assembly Member Chan; out of respect to the memory of Buddy Ebsen, on motion of Assembly Member Pavley; out of respect to the memory of Lance Cpl. Jason Andrew Tetrault, on motion of Assembly Member Benoit; out of respect to the memory of Sgt. Gregory Molden, on motion of Assembly Members Mountjoy and Runner; out of respect to the memory of Brian J. Keeling, on motion of Speaker pro Tempore Kehoe; out of respect to the memory of Peter Cary Stolp, on motion of Assembly Members Cox and Laird; out of respect to the memory of Steven D. Baker, on motion of Assembly Member Wolk; and out of respect to the memory of Jeffrey Nicholson and Jimmy Rideau, on motion of Speaker Wesson.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 14, 2003**

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

AB	RN
848	0316240
SB	RN
36	0315488
110	0315912
162	0315820
191	0315847
197	0315680
223	0315850
228	0315845
229	0315846
248	0315902
255	0315965
311	0315970
354	0315848
380	0315900
552	0315914
635	0315439
673	0315939
674	0315790
700	0316005
757	0315852
814	0315799
842	0315132
899	0315854
1004	0315698
1007	0315857
1071	0315844
1075	0315635
1076	0315704

Daily Total:	28
Cumulative Total:	2414