

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, August 4, 2004**

**TWO HUNDRED THIRTY-FOURTH SESSION DAY  
SIX HUNDRED TWELFTH 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  
Wednesday, August 4, 2004

The Assembly met at 4 p.m.  
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Dutton moved a quorum call of the Assembly.  
Motion carried. Time, 4:01 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 4:12 p.m., Speaker pro Tempore Yee declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—77:

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

**PRAYER**

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

*Lord, As we choose our path in life, remind us that the gate that leads to destruction is wide and the way is easy. Those who enter by it are many. Help us to enter by the narrow gate that leads to true life and to You, even though the way through that gate is narrow and those who find it are few. For everything in this world has two aspects—how it looks at the moment, and how it will look in the light of eternity.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Yee, Assembly Member Chan 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 personal business, and waiving per diem: Assembly Members Jackson and Ridley-Thomas.*

*Because of illness in her family: Assembly Member Berg.*

**COMMUNICATIONS**

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

August 4, 2004

*E. Dotson Wilson*

*Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymembers Ron Calderon and Lynn Daucher to the Select Committee on the West Nile Virus for the 2003–04 Regular Session.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

August 4, 2004

*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 the following members to the Select Committee on Alameda Corridor East for the 2003–04 Regular Session:

Assemblymember Ed Chavez  
 Assemblymember Judy Chu  
 Assemblymember John Longville  
 Assemblymember Dennis Mountjoy  
 Assemblymember Jenny Oropeza  
 Assemblymember Robert Pacheco

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

#### **SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committees were permitted to meet:

Special Committee on State Mandates, on Monday, August 9, 2004, at 9:30 a.m., in Room 447;

Labor and Employment, on Monday, August 9, 2004, at 1:30 p.m., in Room 444;

Human Services, on Monday, August 9, 2004, upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

#### **INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS**

The following resolution was introduced and read the first time:

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 32—Wyland.** A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 26 to Article XX thereof, relating to public benefits.

#### **RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 255—Berg and Levine.** Relative to Health Care Decisions Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 256—Garcia.** Relative to Puerto Rican heritage.

**ASSEMBLY JOINT RESOLUTION NO. 96—Liu (Principal coauthor: Senator Figueroa) (Coauthors: Bates, Berg, Chu, Corbett, Daucher, Goldberg, Hancock, Jackson, Kehoe, Lieber, Matthews, Montanez, Pavley, and Wiggins) (Coauthors: Senators Ducheny, Escutia, Karnette, Kuehl, Ortiz, and Speier).** Relative to Women's Equality Day.

**HOUSE RESOLUTION NO. 57—Parra.** Relative to the Lemoore Military Operations Area (MOA) Initiative.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>251</b> -----	Rls.
<b>252</b> -----	Jud.
<b>253</b> -----	Rls.
<b>254</b> -----	J., E.D. & E.

*Assembly Joint*

<i>Resolution No.</i>	<i>Committee</i>
<b>94</b> -----	U. & C.
<b>95</b> -----	Budget

*House*

<i>Resolution No.</i>	<i>Committee</i>
<b>55</b> -----	A.,E.,S.,T. & I.M.

*Senate Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>88</b> -----	Rls.

*Senate Joint*

<i>Resolution No.</i>	<i>Committee</i>
<b>2</b> -----	Health
<b>32</b> -----	Pub. S.

**AUTHOR'S AMENDMENTS  
Committee on Appropriations**

August 4, 2004

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

- Senate Bill No. 1287
- Senate Bill No. 1481

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

CHU, Chair

**SENATE BILL NO. 1287**—An act to amend Section 2081.5 of, and to add Sections 1016.7, 2057, 2057.5, and 2058 to, the Penal Code, relating to prisoners.

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. 1481**—An act to repeal Chapter 310 of the Statutes of 1913, Chapter 417 of the Statutes of 1925, Chapter 483 of the Statutes of 1947, Chapter 117 of the Statutes of 1957, Chapter 1501 of the Statutes of 1957, Chapter 11 of the Statutes of 1962, Chapter 63 of the Statutes of 1962, Chapter 24 of the Statutes of 1963, and Chapter 895 of the Statutes of 1980, relating to tidelands and submerged lands of the City of Vallejo.

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**

August 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 1262

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

CHU, Chair

**SENATE BILL NO. 1262**—An act to amend Section 17510.5 of the Business and Professions Code, and to amend Sections 12581, 12582, 12583, 12584, 12585, 12586, 12599, and 12599.1 of, and to add Sections 12599.3, 12599.6, and 12599.7 to, the Government Code, relating to charitable 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 Transportation**

August 4, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Concurrent Resolution No. 248

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

OROPEZA, Chair

**ASSEMBLY CONCURRENT RESOLUTION NO. 248**—Relative to Donald S. Wieman Vista Point.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

August 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 1841

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

CHU, Chair

**SENATE BILL NO. 1841**—An act to add Section 436 to the Labor Code, relating to electronic monitoring of employees.

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**

August 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 1630

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

CHU, Chair

**SENATE BILL NO. 1630**—An act to amend Section 35179.1 of, and to add Article 6.5 (commencing with Section 49030) to Chapter 6 of Part 27 of, the Education Code, relating to pupils.

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

**MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 2004

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

- |                      |                                       |
|----------------------|---------------------------------------|
| Senate Bill No. 1096 | Senate Bill No. 1107                  |
| Senate Bill No. 1097 | Senate Bill No. 1108                  |
| Senate Bill No. 1098 | Senate Bill No. 1110                  |
| Senate Bill No. 1099 | Senate Bill No. 1111                  |
| Senate Bill No. 1100 | Senate Bill No. 1112                  |
| Senate Bill No. 1101 | Senate Bill No. 1113                  |
| Senate Bill No. 1102 | Senate Bill No. 1119                  |
| Senate Bill No. 1103 | Senate Bill No. 1120                  |
| Senate Bill No. 1104 | Senate Bill No. 1448                  |
| Senate Bill No. 1105 | Senate Bill No. 1809                  |
| Senate Bill No. 1106 | Senate Constitutional Amendment No. 4 |

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Banking and Finance**

August 4, 2004

Mr. Speaker: Your Committee on Banking and Finance reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Senate Bill No. 996
- Senate Bill No. 1292
- Senate Bill No. 1721

WIGGINS, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Housing and Community Development**

August 4, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Senate Bill No. 740
- Senate Bill No. 1634

LOWENTHAL, Chair

Above bills ordered filed with the Chief Clerk.

August 4, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports the following bills pursuant to the provisions of Joint Rule 62(a):

- Assembly Bill No. 2175
- Assembly Bill No. 2836

LOWENTHAL, Chair

Above bills ordered filed with the Chief Clerk.

**Committee on Business and Professions**

Date of Hearing: August 3, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 2449

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

CORREA, Chair

Above bill re-referred to the Committee on Labor and Employment.

**MESSAGES FROM THE SENATE**

Senate Chamber, July 29, 2004

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

Assembly Bill No. 1554

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

July 19, 2004

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

Dear Dotson: By direction of the Senate I am returning SB 730 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

July 21, 2004

*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 651. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.



July 26, 2004

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 1153 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, July 29, 2004

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

- Senate Concurrent Resolution No. 78
- Senate Concurrent Resolution No. 84

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

**FIRST READING OF SENATE BILLS**

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 78**—Relative to the Bill Keene Interchange.

**SENATE CONCURRENT RESOLUTION NO. 84**—Relative to the Larry Combs Memorial Rest Stop.

**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. 1201, 1340, and 1353**, on request of Assembly Member Frommer.

**BILLS RETURNED TO SENATE**

By unanimous consent, the following bills were returned to the Senate for further action:

- Assembly Bill No. 3085, upon request of Assembly Member Frommer;
- Assembly Bill No. 1881, upon request of Assembly Member Berg;
- Assembly Bill No. 2161, upon request of Assembly Member Reyes.

**NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 1601 be removed from the inactive file.

**ACTION RESCINDED ON SENATE BILL NO. 1677**

Assembly Member Frommer was granted unanimous consent to rescind the action whereby the Assembly, on June 21, 2004 (Assembly Journal, page 6469), passed Senate Bill No. 1677, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 1355**

Assembly Member Frommer was granted unanimous consent to rescind the action whereby the Assembly, on July 2, 2004 (Assembly Journal, page 6698), re-referred Senate Bill No. 1355 to the Committee on Health.

**ACTION RESCINDED ON SENATE BILL NO. 604**

Assembly Member Frommer was granted unanimous consent to rescind the action whereby the Assembly, on February 24, 2004 (Assembly Journal, page 4664), adopted the urgency clause and passed Senate Bill No. 604, and whereby the bill was ordered transmitted to the Senate.

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Salinas announced his intention to request that Senate Bill No. 1609 be removed from the inactive file.

**CONSIDERATION OF SENATE BILL NO. 1677  
BY UNANIMOUS CONSENT**

Assembly Member Richman was granted unanimous consent to take up Senate Bill No. 1677 without reference to file, for purpose of amendment.

**SENATE BILL NO. 1677 (Knight)**—An act to amend Section 13 3/4 of the Los Angeles County Flood Control Act (Chapter 755 of the Statutes of 1915), relating to the Los Angeles County Flood Control District.

Bill read third time.

**Motion to Amend**

Assembly Member Richman moved the adoption of amendments.

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

**CONGRATULATIONS EXTENDED**

Assembly Member La Suer was joined by the Members of the Assembly in extending congratulations to Assembly Member Doug La Malfa and his wife Jill upon the birth of their twin daughters, Sophia and Lydia, born on August 2, 2004.

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following resolution was withdrawn from the inactive file, and placed upon the third reading file:

**Assembly Constitutional Amendment No. 4**, on request of Assembly Member Simitian.

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

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

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

**THIRD READING OF SENATE BILLS**

**SENATE BILL NO. 1406 (Ackerman)**—An act to amend Section 25118 of the Corporations Code, relating to usury.

Bill read third time.

**Motion to Amend**

Assembly Member Campbell moved the adoption of amendments.

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

**SENATE BILL NO. 494 (Escutia)**—An act to amend Section 23004.1 of the Government Code, and to amend Section 14124.791 of the Welfare and Institutions Code, relating to health services.

Bill read third time.

**Motion to Amend**

Assembly Member Kehoe moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—38**

Calderon	Goldberg	Longville	Salinas
Chan	Hancock	Lowenthal	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Koretz	Nation	Wesson
Corbett	Laird	Negrete McLeod	Wolk
Dutra	Leno	Oropeza	Yee
Dymally	Levine	Parra	Mr. Speaker
Firebaugh	Lieber	Pavley	
Frommer	Liu	Reyes	

**NOES—29**

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

Bill ordered reprinted, and to be returned to the third reading file.

**SENATE BILL NO. 1517 (Ashburn)**—An act to amend Sections 51430, 51440, and 51442 of, to amend the heading of Article 3.5 (commencing with Section 51430) of, and to repeal the heading of Article 4 (commencing with Section 51440) of, Chapter 3 of Part 28 of, and to repeal Section 51441 of, the Education Code, relating to public schools.

Bill read third time.

**Motion to Amend**

Assembly Member Maze moved the adoption of amendments.

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

**SENATE BILL NO. 1306 (Ackerman)**—An act to amend Sections 8, 195, 307, 314, 600, 601, 603, 1500, 1501, 5079, 5211, 5215, 5510, 5511, 5513, 6320, 6321, 6322, 7211, 7215, 7510, 7511, 7513, 8320, 8321, 8322, 9211, 9215, 9411, 9413, 9510, 12254, 12351, 12355, 12460, 12461, 12463, 12590, 12591, 12592, 16101, 16403, 17001, 17058, 17104, and 17106 of, and to add Sections 20 and 21 to, the Corporations Code, relating to business organizations.

Bill read third time.

**Motion to Amend**

Assembly Member Spitzer moved the adoption of amendments.

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

**SENATE BILL NO. 1682 (Ducheny)**—An act to amend Sections 1353.6, 1363, 1365.1, 1365.2, and 1367.1, to add Section 1367.4 to, and to repeal Section 1366.3 of, the Civil Code, and to amend Sections 116.540 and 703.010 of, and to add Section 729.035 to, the Code of Civil Procedure, relating to common interest developments.

Bill read third time.

**Motion to Amend**

Assembly Member Steinberg moved the adoption of amendments.

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Steinberg moved the adoption of amendments.

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Frommer moved the adoption of amendments.

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Reyes moved the adoption of amendments.

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

**CONSIDERATION OF SENATE BILL NO. 1355  
BY UNANIMOUS CONSENT**

Assembly Member Keene was granted unanimous consent to take up Senate Bill No. 1355 without reference to file, for purpose of amendment.

**SENATE BILL NO. 1355 (Aanestad)**—An act to amend Section 1271 of the Business and Professions Code, relating to cytotechnologists.

Bill read third time.

**Motion to Amend**

Assembly Member Keene moved the adoption of amendments.

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

**Re-Reference of Bills to Committee Pursuant to  
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1355 to the Committee on Health.

**CONGRATULATIONS EXTENDED**

Assembly Member Bates was joined by the Members of the Assembly in extending congratulations to Assembly Member Dave Cox and his wife Maggie, upon the birth of their first grandson, Andrew David Aquino, born on July 8, 2004.

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

**SENATE BILL NO. 1725 (Knight)**—An act to amend Sections 415, 462, 467, 545, 2418.5, 5007, 9410, 22507.5, 22511.5, 22511.55, 22511.57, 22511.59, 22511.8, 22652, 22658.2, and 25276 of, and to add Section 5007.5 to, the Vehicle Code, relating to vehicles.

Bill read third time.

**Motion to Amend**

Assembly Member Runner moved the adoption of amendments.

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

**NOTICE OF INTENTION TO REMOVE BILL  
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Runner announced her intention to request that Senate Bill No. 926 be removed from the inactive file.

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

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

Bill read third time.

**Motion to Amend**

Assembly Member Cogdill moved the adoption of amendments.

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

**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 CONCURRENT RESOLUTION NO. 65 (Speier)**—Relative to the Officer Eugene A. Doran and Marine Lance Corporal Patrick M. Doran Memorial Bridge.

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

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

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

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

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

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

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

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

**SENATE BILL NO. 1264 (Committee on Natural Resources and Wildlife)**—An act to repeal Sections 64.5 and 69.8 of the Harbors and Navigation Code, and to amend Sections 5018.1, 5019.11, 5019.15, 6331.5, and 29777 of, to amend the heading of Chapter 1.77 (commencing with Section 5097.993) of Division 5 of, to amend and renumber Sections 5097.993, 5097.994, 5097.995, and 5097.996 of, and to repeal Sections 6226, 22054, 25689, and 30237 of, the Public Resources Code, relating to natural resources.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**SENATE BILL NO. 1847 (Perata)**—An act to amend Section 121360.5 of the Health and Safety Code, relating to communicable diseases.

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

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

**SENATE BILL NO. 1840 (Denham)**—An act to amend Sections 9904, 9910, 9912, 9932, 9941, 9942, 9943, 9944, 9971, 9972, 9973, 9974, 9975, 9976, 9977, 9978, 9979, 9980, 9981, 9982, 10003, 10006, 10061, 10062, 10063, 10064, 10065, 10066, 10067, 10068, 10103, and 10151 of, to amend the headings of Article 3 (commencing with Section 9941) and Article 4 (commencing with Section 9971) of Chapter 2 of Part 2 of Division 5 of, to add Sections 9914, 9933, and 10100 to, to repeal Sections 9905, 9906, 9911, 10002, 10005, 10008, 10009, 10104, and 10105 of, to repeal Article 6 (commencing with Section 10031), Article 8 (commencing with Section 10081), and Article 10 (commencing with Section 10131) of Chapter 2 of Part 2 of Division 5 of, and to repeal and add Sections 9907, 10004, 10007, 10101, and 10102 of, the Food and Agricultural Code, relating to diseased animals, and declaring the urgency thereof, to take effect immediately.

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

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

#### Consent Calendar Roll Call

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

#### AYES—76

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

#### NOES—None

#### CAUCUS ANNOUNCEMENTS

Assembly Member Frommer announced that the Democratic Caucus would meet in the Assembly Lounge; and Assembly Member Bogh announced that the Republican Caucus would meet in the Tom Bane Rules Committee Room, upon adjournment of Floor session today.



**ADJOURN IN MEMORY**

Assembly Members Frommer and Yee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stanley Toy, Sr., of San Francisco.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Goldberg and Dymally, Speaker Nunez, and Speaker Emeritus Wesson were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Theodore T. Alexander Jr., of Los Angeles.

(Assembly Rule 45.5 suspended.)

**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 Spc. William R. Emanuel, IV, of Stockton and Pfc. Jesse J. Martinez, of Tracy.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Spc. Armando Hernandez, of Hesperia.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Maldonado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patricia Nimmo, of Atascadero.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roy Gordon, of San Clemente and Shawn Lane, of Oceanside.

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. Justin Hunt and Damaris "Dee" Puskas, of Riverside.

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Morris Sternberg, of Grand Terrace and Chris Prato, of San Bernardino.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Florine Neal, of El Cerrito.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Frances Carrick, of San Francisco.

Assembly Member Samuelian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Casimiro Armando Lopez Gonzalez, of Parlier.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS  
MOTIONS TO RECONSIDER BILLS CONTINUED**

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

**VOTE ADDS**

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

**Senate Bill No. 494, Kehoe Amendments:** Chavez, Corbett, Dutra, Nation, and Oropeza—Aye; Campbell and Daucher—No.

**Consent Calendar:** Maze and Simitian—Aye.

**MOTION TO ADJOURN**

At 4:54 p.m., Assembly Member Frommer moved that the Assembly do now adjourn. Assembly Member Mountjoy seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 4:54 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: August 4, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 250

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolution ordered to third reading.

Date of Hearing: August 4, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 148

Assembly Concurrent Resolution No. 149

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 resolutions be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: August 4, 2004

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 87

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.

MONTANEZ, Chair

Above resolution ordered to the Consent Calendar.

**INTRODUCTION OF GUESTS**

Assembly Member Longville, of the 62nd Assembly District, introduced Pastor Wallace Allen, Pastor Reggie Beaman, Pastor Joshua Beckley, Dr. Craig S. Luke, Pastor Owusu Hodari, and Rev. Stephen S. Vines.

**ADJOURNMENT**

At 4:55 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Thursday, August 5, 2004, out of respect to the memory of Roy Gordon and Shawn Lane, on motion of Assembly Member Bates; out of respect to the memory of Stanley Toy, Sr., on motion of Assembly Members Frommer and Yee; out of respect to the memory of Florine Neal, on motion of Assembly Member Hancock; out of respect to the memory of Spc. William R. Emanuel, IV and Pfc. Jesse J. Martinez, on motion of Assembly Member Matthews; out of respect to the memory of Spc. Armando Hernandez, on motion of Assembly Member Mountjoy; out of respect to the memory of Morris Sternberg and Chris Prato, on motion of Assembly Member Dutton; out of respect to the memory of Mary Frances Carrick, on motion of Assembly Member Mullin; out of respect to the memory of Casimiro Armando Lopez Gonzalez, on motion of Assembly Member Samuelian; out of respect to the memory of Lance Cpl. Justin Hunt and Damaris "Dee" Puskas, on motion of Assembly Member Benoit; out of respect to the memory of Dr. Theodore T. Alexander Jr., on motion of Assembly Members Goldberg and Dymally, Speaker Nunez, and Speaker Emeritus Wesson; and out of respect to the memory of Patricia Nimmo, on motion of Assembly Member Maldonado.

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FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON AUGUST 4, 2004

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

### AB RN

3118 0413761

### ACR RN

248 0414994

### SB RN

64 0414091  
494 0415070  
1085 0414037  
1262 0414852  
1271 0414335  
1287 0415146  
1306 0414030  
1355 0414248  
1406 0413564  
1481 0415136  
1517 0414038  
1630 0415435  
1677 0413881  
1682 0413922  
1725 0413656  
1841 0415354  
1891 0413956

<b>Daily Total:</b>	<b>19</b>
<b>Cumulative Total:</b>	<b>5417</b>

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