

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, August 27, 2004**

**TWO HUNDRED FORTY-EIGHTH SESSION DAY  
SIX HUNDRED THIRTY-FIFTH 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  
Friday, August 27, 2004

The Assembly met at 10 a.m.  
Hon. Kevin McCarthy, Assembly Member, 32nd District,  
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 Cox moved a quorum call of the Assembly.  
Motion carried. Time, 10:01 a.m.  
The Acting Speaker directed the Sergeant at Arms to close the doors,  
and to bring in the absent Members.

#### Quorum Present

At 10:44 a.m., Acting Speaker McCarthy declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—80:

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**PRAYER**

Upon invitation of Acting Speaker McCarthy, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

*Lord, Empires rise and fall, nations come and go, governments wax and wane, leaders rise to prominence and then vanish into obscurity. We play our part on the stage of history and then pass from view. But You, O Lord, are the same yesterday, today, and forever. Your righteousness is an everlasting righteousness and Your Word is truth. Help us to know Your will, to become Your children and to abide in Your love, which is eternal.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Acting Speaker McCarthy, Assembly Member Strickland then led the Assembly in the pledge of allegiance to the Flag.

**At 10:46 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

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

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

**COMMUNICATIONS**

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

August 27, 2004

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

Dear Dotson: Please be advised that I have appointed Assemblymember John Laird to replace Assemblymember Paul Koretz on the Assembly Health Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

August 27, 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 Assemblymember John Laird to replace Assemblymember Ed Chavez on the Assembly Governmental Organization Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
Speaker of the Assembly

August 27, 2004

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

Dear Dotson: Please be advised that I have appointed Assemblymember Gene Mullin to replace Assemblymember Ed Chavez on the Assembly Health Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ  
 Speaker of the Assembly

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

**Explanation of Vote—Senate Bill No. 1538**

August 27, 2004

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

RE: Senate Bill 1538 (Alarcon),  
 Compensation: meal and rest periods

Dear Mr. Speaker,

I write to express the intent behind my “aye” vote for Senate Bill (SB) 1538. SB 1538 seeks to clarify that a piece rate worker in the agricultural and garment industries is entitled to be paid for a rest period and provides a formula for determining compensation rates for piece rate workers. This bill passed the Assembly by a margin of 41–35 on August 26, 2004.

Although I voted “aye” for SB 1538 on August 27, 2004, it was done as a courtesy to Assembly Member Paul Koretz—a co-author who would have supported this measure on the Assembly Floor but was unable to vote due to personal/family circumstances.

The sponsors and the author meant well in carrying SB 1538. However, the language contained in SB 1538 is onerous and not necessary. The provisions set forth in this bill may have an unintentional, and potentially harmful, effect for small farmers and farmworkers in future years.

Sincerely,

SARAH L. REYES, Assembly Member  
 Thirty-first District

**SPECIAL COMMITTEE HEARINGS**

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

Education;  
Environmental Safety and Toxic Materials;  
Governmental Organization;  
Health;  
Higher Education;  
Human Services;  
Insurance;  
Local Government;  
Natural Resources;  
Revenue and Taxation;  
Transportation;  
and Water, Parks and Wildlife.

**ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Frommer was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Assembly Bills Nos. 1366, 2451, 606, 1412, 2710, 1975, 2115, 2121, 671, 2120, 2454, 2807, 3065, 2127, 2661, 269, 2838, 358, 857, 1074, 1119, 1126, 1684, 1858, 1896, 1987, 2066, 2144, 2152, 2328, 2348, 2633, 2638, 2722, 3088, 3098, 2006, 1957, 1958, 1558, 2151, 2821, 658, 1297, 1353, 1369, 2277, 2465, 1155, 2358, 1723, 3018, 421, 1227, 1867, and 2129, and Assembly Joint Resolution No. 56.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Wolk was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting her son, Dan Wolk, to sit at her desk in the Assembly Chamber.

Assembly Member Correa was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his son, Andres Correa, to sit at his desk in the Assembly Chamber.

Assembly Member Dutton was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his wife Andrea Dutton to sit at his desk in the Assembly Chamber.

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

**SENATE BILL NO. 1752**—An act relating to state property.

Bill read second time, and ordered to third reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 26, 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. 7	Senate Bill No. 1353
Senate Bill No. 509	Senate Bill No. 1435
Senate Bill No. 604	Senate Bill No. 1481
Senate Bill No. 651	Senate Bill No. 1541
Senate Bill No. 722	Senate Bill No. 1654
Senate Bill No. 928	Senate Bill No. 1689
Senate Bill No. 1201	Senate Bill No. 1696
Senate Bill No. 1233	Senate Bill No. 1697
Senate Bill No. 1280	Senate Bill No. 1777
Senate Bill No. 1289	Senate Bill No. 1791
Senate Bill No. 1340	Senate Bill No. 1873
Senate Bill No. 1341	Senate Bill No. 1913

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

Senate Chamber, August 26, 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. 30	Senate Bill No. 1161
Senate Bill No. 89	Senate Bill No. 1228
Senate Bill No. 136	Senate Bill No. 1248
Senate Bill No. 215	Senate Bill No. 1262
Senate Bill No. 301	Senate Bill No. 1287
Senate Bill No. 339	Senate Bill No. 1319
Senate Bill No. 427	Senate Bill No. 1334
Senate Bill No. 431	Senate Bill No. 1343
Senate Bill No. 449	Senate Bill No. 1399
Senate Bill No. 659	Senate Bill No. 1401
Senate Bill No. 646	Senate Bill No. 1436
Senate Bill No. 699	Senate Bill No. 1449
Senate Bill No. 792	Senate Bill No. 1459
Senate Bill No. 805	Senate Bill No. 1464
Senate Bill No. 815	Senate Bill No. 1480
Senate Bill No. 849	Senate Bill No. 1499
Senate Bill No. 920	Senate Bill No. 1508
Senate Bill No. 924	Senate Bill No. 1569
Senate Bill No. 945	Senate Bill No. 1585
Senate Bill No. 1159	Senate Bill No. 1596

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

Senate Chamber, August 26, 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. 102	Senate Bill No. 1487
Senate Bill No. 142	Senate Bill No. 1540
Senate Bill No. 446	Senate Bill No. 1544
Senate Bill No. 898	Senate Bill No. 1644
Senate Bill No. 1307	Senate Bill No. 1691
Senate Bill No. 1342	Senate Bill No. 1694
Senate Bill No. 1355	Senate Bill No. 1744
Senate Bill No. 1380	Senate Bill No. 1749
Senate Bill No. 1388	Senate Bill No. 1785
Senate Bill No. 1400	Senate Bill No. 1914
Senate Bill No. 1404	

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

Senate Chamber, August 26, 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. 1601 | Senate Bill No. 1818 |
| Senate Bill No. 1604 | Senate Bill No. 1820 |
| Senate Bill No. 1608 | Senate Bill No. 1838 |
| Senate Bill No. 1703 | Senate Bill No. 1850 |
| Senate Bill No. 1730 | Senate Bill No. 1858 |
| Senate Bill No. 1745 | Senate Bill No. 1874 |
| Senate Bill No. 1753 | Senate Bill No. 1895 |
| Senate Bill No. 1754 | Senate Bill No. 1906 |
| Senate Bill No. 1817 |                      |

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

**DEBATE LIMITED**

Speaker pro Tempore Yee announced that by leadership agreement, debate would be limited to two minutes of time for two proponents and two opponents.

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

**SENATE BILL NO. 855 (Machado)**—An act to amend, repeal, and add Section 1596.792 of, and to add and repeal Sections 1516 and 1526.8 of, the Health and Safety Code, and to amend, repeal, and add Sections 11400 and 11402 of, and to add and repeal Section 11462.7 of, the Welfare and Institutions Code, relating to care facilities.

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

Bill passed by the following vote:

**AYES—72**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1700**, on request of Assembly Member Bogh.

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

**SENATE BILL NO. 1545 (Karnette)**—An act relating to mosquito abatement, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**REQUEST FOR VIDEOGRAPHER**

Assembly Members McCarthy, Daucher, Jerome Horton, and Longville were granted unanimous consent that a videographer be permitted on the Floor of the Assembly.

**MOTION TO SUSPEND ASSEMBLY RULE 96**

Assembly Member Spitzer moved that Assembly Rule 96 be suspended for the purpose of withdrawing Assembly Bill No. 1185 from the Committee on Water, Parks and Wildlife, prior to Rules Committee approval.

Assembly Member Benoit seconded the motion.



Motion for suspension of the Rules lost by the following vote:

**AYES—33**

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

**NOES—46**

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Garcia	Lowenthal	Salinas
Canciamilla	Goldberg	Matthews	Steinberg
Chan	Hancock	Montanez	Vargas
Chavez	Horton, Jerome	Mountjoy	Wesson
Chu	Jackson	Mullin	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Laird	Nation	Yee
Correa	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Parra	
Dymally	Lieber	Pavley	

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 1412 to the Committee on Revenue and Taxation.

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

**SENATE BILL NO. 311 (Sher)**—An act to amend, repeal, and add Section 52124 of the Education Code, relating to class size, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—2**

Bogh Haynes

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—78**

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

**NOES—2**

Bogh Haynes

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 391 (Florez)**—An act to add Sections 12996.5, 12997.5, and 12997.7 to the Food and Agricultural Code, relating to pesticides.

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

The roll was opened.

#### Call of the Assembly

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

Motion carried. Time, 11:22 a.m.

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

**SENATE BILL NO. 1909 (Machado)**—An act to add Section 97.47 to the Revenue and Taxation Code, relating to local government finance.

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

Bill passed by the following vote:

#### AYES—60

Aghazarian	Dutton	Lieber	Pavley
Bates	Firebaugh	Liu	Plescia
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Horton, Shirley	Maze	Spitzer
Chavez	Houston	McCarthy	Steinberg
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Kehoe	Mullin	Wesson
Corbett	Koretz	Nakano	Wiggins
Correa	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

#### NOES—11

Benoit	Haynes	Leslie	Samuelian
Bogh	Keene	Nakanishi	Strickland
Cox	Laird	Parra	

#### Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1909: Assembly Members Aghazarian and McCarthy from “No” to “Aye”.

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 50 (Sher)**—An act to amend Section 25214.10 of, and to add Sections 25214.10.1 and 25214.10.2 to, the Health and Safety Code, and to amend Sections 42463, 42464, 42465, 42465.1, 42465.2, 42465.3, 42475, 42475.2, 42476, 42476.5, 42477, 42478, 42479, and 42485 of, to add Sections 42464.4, 42464.6, 42846, and 48000 to, to repeal Section 42475.1 of, and to repeal and add Section 42464.2 of, the Public Resources Code, relating to solid waste, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—7**

Benoit	Cox	Keene	Strickland
Bogh	Haynes	Leslie	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—73**

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

**NOES—7**

Benoit	Cox	Keene	Strickland
Bogh	Haynes	Leslie	

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 1912 (Ashburn)**—An act to amend Section 49423 of the Education Code, relating to pupil health, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 91 (Figueroa)**—Relative to renaming the San Lorenzo River Redwoods.

Resolution read, presented by Assembly Member Laird, and adopted.

Resolution ordered transmitted to the Senate.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 11:43 a.m., by unanimous consent, the members of the Committee on Education were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**SENATE BILL NO. 1549 (Figueroa)**—An act to amend Sections 2455, 2456, 2457, 2472, 2499.5, 5510, 5517, 5620, 5621, 5622, 5641, 5810, 6710, 8030.2, 8030.4, 8030.6, 8030.8, 8710, 18602, 18613, 18627, and 18640 of, to add Sections 5552.5, 5641.1, 5641.2, 5641.3, 5641.4, 5641.6, 6780, and 8785 to, and to add Article 4.5 (commencing with Section 6770) to Chapter 7 of Division 3 of, and Article 5.7 (commencing with Section 8776) to Chapter 15 of Division 3 of, and to repeal Section 5645 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:44 a.m.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1317**, on request of Assembly Member Levine.

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

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

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—2**

La Suer                      Runner

Bill ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 93 (Torlaksen)**—Relative to Bone and Joint Decade National Awareness Week.

Resolution read, presented by Assembly Member Levine, and adopted.

Resolution ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bills were placed upon the inactive file:

**Senate Bills Nos. 1695, 1166, and 1584**, on request of Assembly Member Calderon.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2115 (Committee on Budget)**—An act to amend Sections 6585 and 25350.6 of the Government Code, to amend Sections 33607.5 and 33681.12 of, and to add Section 33681.15 to, the Health and Safety Code, and to amend Sections 97.70, 97.71, 97.72, 97.73, 7203.1, 10754.11, 11001.5, and 11005 of, and to repeal Section 97.74 of, the Revenue and Taxation Code, relating to local government finance, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Steinberg.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—1**

Canciamilla

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

**AYES—77**

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

**NOES—1**

Canciamilla

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 2121 (Committee on Budget)**—An act to add Sections 1259.2 and 1259.4 to the Water Code, relating to water.

Bill presented by Assembly Member Steinberg.

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 Steinberg moved a call of the Assembly.

Motion carried. Time, 11:59 a.m.

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

**ASSEMBLY BILL NO. 2120 (Committee on Budget)**—An act to amend Section 12101.5 of the Public Contract Code, relating to state contracts.

Bill presented by Assembly Member Steinberg.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2807 (Steinberg)**—An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, and 16501.1 of, and to add Section 16131.5 to, the Welfare and Institutions Code, relating to children.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3065 (Kehoe)**—An act to amend Section 65302 of, and to repeal and add Section 65302.5 of, the Government Code, and to repeal Section 4128.5 of the Public Resources Code, relating to general plans.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2127 (Levine)**—An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

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

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

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

**AYES—79**

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

**NOES—1**

Haynes

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2661 (Steinberg)**—An act to amend Section 1536 of, and to add Sections 1506.7, 1506.8, and 1506.9 to, the Health and Safety Code, relating to foster care.

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—79**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2838 (Salinas)**—An act to amend Section 17464 of the Education Code, and to amend Section 51504 of the Health and Safety Code, relating to real property, and making an appropriation therefor.

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—56**

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

**NOES—24**

Aghazarian	Daucher	La Malfa	Pacheco
Bates	Dutton	La Suer	Plescia
Benoit	Harman	Leslie	Runner
Bogh	Haynes	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 358 (Jackson)**—An act to add Chapter 3.15 (commencing with Section 8250.1) to Division 1 of Title 2 of the Government Code, relating to discrimination.

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—52**

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

**NOES—22**

Aghazarian	Daucher	Leslie	Plescia
Benoit	Dutton	Maddox	Runner
Bogh	Haynes	McCarthy	Samuelian
Campbell	Keene	Mountjoy	Wyland
Cogdill	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	

Above bill ordered enrolled.

**At 12:08 p.m., Assistant Speaker pro Tempore Sally J. Lieber, 22nd District, presiding**

**ASSEMBLY BILL NO. 857 (Frommer)**—An act to add and repeal Part 4 (commencing with Section 1000) of Division 1 of the Health and Safety Code, relating to autism.

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.)*

**Motion to Re-refer Assembly Bill No. 857 to Committee**

Assembly Member Mountjoy moved that Assembly Bill No. 857 be re-referred to the Committee on Appropriations.

Assembly Member La Suer seconded the motion.

**Request to Yield Time for Debate**

Assembly Member Mountjoy requested unanimous consent to yield his opening time for debate on the motion to Assembly Member Haynes.

Assembly Member Frommer withheld unanimous consent.

**Point of Order**

Assembly Member Spitzer arose to the following point of order:

Assembly Member Frommer is speaking to the merits of the bill and not the motion to re-refer the bill to committee.

The question being on the Mountjoy motion to re-refer.

Motion to re-refer lost by the following vote:

**AYES—35**

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

**NOES—44**

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

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

**AYES—61**

Berg	Frommer	Levine	Reyes
Bermudez	Garcia	Lieber	Richman
Bogh	Goldberg	Liu	Ridley-Thomas
Calderon	Hancock	Longville	Salinas
Canciamilla	Harman	Lowenthal	Simitian
Chan	Horton, Jerome	Maldonado	Spitzer
Chavez	Horton, Shirley	Matthews	Steinberg
Chu	Houston	Montanez	Strickland
Cohn	Jackson	Mullin	Vargas
Corbett	Keene	Nakano	Wesson
Correa	Kehoe	Nation	Wiggins
Cox	Koretz	Negrete McLeod	Wolk
Diaz	La Malfa	Oropeza	Yee
Dutra	Laird	Pacheco	
Dymally	Leno	Parra	
Firebaugh	Leslie	Pavley	

**NOES—15**

Aghazarian	Dutton	McCarthy	Runner
Campbell	Haynes	Mountjoy	Samuelian
Cogdill	Maddox	Nakanishi	Wyland
Daucher	Maze	Plescia	

Above bill ordered enrolled.

**At 12:32 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**RECESS**

By unanimous consent, at 12:32 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Corbett introduced Ray LeBov and presented a resolution to him on the occasion of his retirement from his position as Director of the Office of Governmental Affairs for the Judicial Council, commending his outstanding service to the legislative and judicial branches of the State of California.

Assembly Member Corbett was joined by the Members of the Assembly in extending best wishes for continued success.

**RECONVENED**

At 12:33 p.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1119 (Nation)**—An act to amend Section 830.34 of the Penal Code, and to add Section 71341.5 to the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—73**

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

**NOES—7**

Campbell	Haynes	Maze	Strickland
Harman	Leslie	Spitzer	

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

**AYES—73**

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

**NOES—7**

Campbell	Haynes	Maze	Strickland
Harman	Leslie	Spitzer	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1119: Assembly Member Cox from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1126 (Dutton)**—An act to amend Section 17074.10 of the Education Code, relating to school facilities.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1684 (Leno)**—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—79**

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

**NOES—None**

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

**AYES—79**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1858 (Steinberg)**—An act to amend Sections 52052, 56157, 56341.5, 56366, 56366.1, 56366.5, and 56366.9 of, and to add Sections 49085, 56026.3, 56155.7, 56366.10, 56366.11, and 56366.12 to, the Education Code, to amend Section 1501.1 of the Health and Safety Code, and to add Section 16014 to the Welfare and Institutions Code, relating to foster children.

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 Steinberg moved a call of the Assembly.

Motion carried. Time, 12:45 p.m.

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

**ASSEMBLY BILL NO. 1896 (Jerome Horton)**—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—4**

Campbell	Haynes	Ridley-Thomas	Strickland
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The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

**AYES—75**

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

**NOES—4**

Campbell	Haynes	Ridley-Thomas	Strickland
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Above bill ordered enrolled.

**Communications**

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

August 28, 2004

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

Dear Mr. Wilson: Please be advised that on August 27, 2004, the last night of session, I inadvertently voted "No" on Assembly Bill 1896. My intention was to vote "Aye." When it was before me in the Committee on Appropriations, I voted in favor of the bill.

With hope,

MARK RIDLEY-THOMAS, Assembly Member  
Forty-eighth District

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1858**

At 12:46 p.m., on motion of Assembly Member Steinberg, 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. 1858 by the following vote:

**AYES—51**

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

**NOES—27**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2066 (Steinberg)**—An act to add Article 3.1 (commencing with Section 52055.57) to Chapter 6.1 of Part 28 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

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

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

### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—79

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

#### NOES—1

Haynes

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

#### AYES—79

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

#### NOES—1

Haynes

Above bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1987 (Steinberg)**—An act to amend Section 52055.650 of the Education Code, relating to pupils.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 391**

At 12:47 p.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Reyes moved to continue the call of the Assembly.

Motion carried. Time, 12:47 p.m.

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

**ASSEMBLY BILL NO. 2144 (Ridley-Thomas)**—An act to amend Sections 3361, 3362, 3691, 3691.2, 3791, 3791.3, 3792, and 4217 of the Revenue and Taxation Code, relating to property taxation.

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—46**

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

**NOES—34**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2152 (Goldberg)**—An act to add Chapter 3.3 (commencing with Section 41570 to Part 24 of the Education Code, relating to school finance.

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 Goldberg moved a call of the Assembly.

Motion carried. Time, 12:54 p.m.

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

**ASSEMBLY BILL NO. 2348 (Mullin)**—An act to amend Sections 65583, 65583.1, 65589.5, and 65915 of, and to add Section 65583.2 to, the Government Code, relating to housing.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Keohoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2633 (Frommer)**—An act to amend Section 19215 of, to add Section 19217 to, and to add Article 6.6 (commencing with Section 19317) to Chapter 5 of Part 3 of Division 9 of, the Food and Agricultural Code, relating to grease.

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—59**

Aghazarian	Firebaugh	Longville	Richman
Bates	Frommer	Lowenthal	Ridley-Thomas
Berg	Garcia	Maldonado	Salinas
Bermudez	Goldberg	Matthews	Simitian
Calderon	Hancock	McCarthy	Spitzer
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Horton, Shirley	Mullin	Strickland
Chavez	Jackson	Nakano	Vargas
Chu	Kehoe	Nation	Wesson
Cohn	Koretz	Negrete McLeod	Wiggins
Corbett	Laird	Oropeza	Wolk
Correa	Leno	Parra	Wyland
Diaz	Levine	Pavley	Yee
Dutra	Lieber	Plescia	Mr. Speaker
Dymally	Liu	Reyes	

**NOES—21**

Benoit	Dutton	La Suer	Pacheco
Bogh	Harman	Leslie	Runner
Campbell	Haynes	Maddox	Samuelian
Cogdill	Houston	Maze	
Cox	Keene	Mountjoy	
Daucher	La Malfa	Nakanishi	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2633: Assembly Member Bates from "No" to "Aye".

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2152**

At 12:56 p.m., on motion of Assembly Member Goldberg, 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. 2152 by the following vote:

**AYES—47**

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

**NOES—31**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2638 (Cogdill)**—An act to add Section 17280.1 to the Education Code, and to add Sections 18948.1 and 129851 to the Health and Safety Code, relating to building standards.

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—79**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2722 (Laird)**—An act to amend Section 37002 of, and to add Chapter 7 (commencing with Section 37030) to Division 28 of, the Public Resources Code, and to add Section 19560 to the Revenue and Taxation Code, relating to conservation.

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—54**

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

**NOES—26**

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

Above bill ordered enrolled.

**ASSEMBLY RULE 69(d) SUSPENDED**

Assembly Member Kehoe was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 902, on the Supplemental File.

**SENATE BILL NO. 902 (Burton)**—An act to add Article 5.6 (commencing with Section 8589.25) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to public safety, and making an appropriation therefor.

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

Bill passed by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Bill ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 3088 (Jerome Horton)**—An act to amend Section 1861.16 of the Insurance Code, relating to automobile insurance.

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

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

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

**AYES—72**

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

**NOES—None****Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 3088: Assembly Member Kehoe from “Aye” to “Not Voting”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3098 (Committee on Elections, Redistricting and Constitutional Amendments)**—An act to amend and repeal Sections 12223, 12261, and 12304 of the Elections Code, relating to election precincts.

Bill presented by Assembly Member Longville.

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—60**

Bates	Dutton	Lieber	Pavley
Berg	Dymally	Liu	Reyes
Bermudez	Firebaugh	Longville	Richman
Calderon	Frommer	Lowenthal	Ridley-Thomas
Canciamilla	Garcia	Maddox	Salinas
Chan	Goldberg	Maldonado	Samuelian
Chavez	Hancock	Matthews	Simitian
Chu	Horton, Jerome	Montanez	Steinberg
Cohn	Horton, Shirley	Mullin	Strickland
Corbett	Jackson	Nakano	Vargas
Correa	Kehoe	Nation	Wesson
Cox	Koretz	Negrete McLeod	Wiggins
Daucher	Laird	Oropeza	Wolk
Diaz	Leno	Pacheco	Yee
Dutra	Levine	Parra	Mr. Speaker

**NOES—19**

Aghazarian	Harman	Leslie	Plescia
Benoit	Haynes	Maze	Runner
Bogh	Keene	McCarthy	Spitzer
Campbell	La Malfa	Mountjoy	Wyland
Cogdill	La Suer	Nakanishi	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1957 (Frommer)**—An act to add and repeal Sections 14982 and 14983 of the Government Code, and to add and repeal Article 5 (commencing with Section 110242) of Chapter 2 of Part 5 of Division 104 of the Health and Safety Code, relating to prescription drugs.

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—46**

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

**NOES—29**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1957: Assembly Member Cox from “Aye” to “No”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1558 (Daucher)**—An act to amend Section 14087.54 of, and to add Article 2.1 (commencing with Section 14070) to Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health care benefits, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**At 1:16 p.m., Assistant Speaker pro Tempore Sally J. Lieber, 22nd District, presiding**

**ASSEMBLY BILL NO. 2151 (Jackson)**—An act to add Section 14132.01 to the Welfare and Institutions Code, relating to Medi-Cal.

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—59**

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

**NOES—21**

Aghazarian	Haynes	McCarthy	Samuelian
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	
Dutton	Maze	Runner	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2151: Assembly Member Keene from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2821 (Daucher)**—An act to amend Section 1400 of, and to add Section 14019.7 to, the Welfare and Institutions Code, relating to health care services.

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

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

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 658 (Nakano)**—An act to add and repeal Article 13.5 (commencing with Section 18845) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to public health.

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

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

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

**AYES—78**

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

**NOES—2**

Campbell                      Haynes

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1353 (Matthews)**—An act to add Section 25150.8 to, and to add and repeal Section 25150.7 of, the Health and Safety Code, relating to hazardous waste.

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—79**

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker
Dutton	Leslie	Parra	

**NOES—1**

Bogh

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1369 (Pavley)**—An act to add Article 10.2.1 (commencing with Section 25214.8.1) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

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—54**

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

**NOES—25**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2277 (Dymally)**—An act to amend Sections 25211, 25212, and 25404 of, and to add Sections 25211.1, 25211.2, 25211.3, 25211.4, and 25211.5 to, the Health and Safety Code, and to amend Section 42167 of the Public Resources Code, relating to hazardous waste.

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 Dymally moved a call of the Assembly.

Motion carried. Time, 1:30 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 1:33 p.m., by unanimous consent, the members of the Committee on Governmental Organization were excused for the purpose of attending a meeting of the committee at this time, in Room 4202, and without objection, the House was permitted to continue in Floor session.

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

**ASSEMBLY BILL NO. 1155 (Liu)**—An act to amend Sections 2342.5 and 2850 of, and to add Section 2344 to, the Probate Code, relating to conservators and guardians.

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 Frommer moved a call of the Assembly.

Motion carried. Time, 1:37 p.m.

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

**ASSEMBLY BILL NO. 2358 (Steinberg)**—An act to amend Sections 5237, 17306, 17500, 17502, 17506, and 17522.5 of, and to add Section 17309.5 to, and Article 1.5 (commencing with Section 17450) to Chapter 2 of Division 17 of, the Family Code, to add Section 24351.5 to the Government Code, and to add Sections 19270 and 19276 to, and to repeal Article 5 (commencing with Section 19271) of Chapter 5 of Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to child support.

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—79**

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

**NOES—1**

Mountjoy

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3018 (Koretz)**—An act to add Sections 201.9 and 512.7 to the Labor Code, relating to compensation.

Bill presented by Assembly Member Mullin.

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

**NOES—6**

Cogdill	Harman	Maze
Cox	Houston	Nakanishi

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 3018: Assembly Members Benoit, McCarthy, Pacheco, and Strickland from “No” to “Aye”.

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1227 (McCarthy)**—An act to add Section 1875.24 to the Insurance Code, relating to insurance fraud.

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—79**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1867 (Vargas)**—An act to amend Item 0845-101-0217 of Section 2.00 of Chapter 208 of the Statutes of 2004, relating to insurance, and making an appropriation therefor.

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

**NOES—1**

La Suer

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2129 (Chavez)**—An act to amend Section 10127.10 of the Insurance Code, relating to life insurance.

Bill presented by Assembly Member Vargas.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1958 (Frommer)**—An act to amend Section 22851 of, and to add Part 9 (commencing with Section 22980) to Division 5 of Title 2 of, the Government Code, relating to pharmaceutical purchasing consortium.

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—57**

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

**NOES—22**

Aghazarian	Haynes	Maze	Richman
Benoit	Houston	McCarthy	Runner
Campbell	Keene	Mountjoy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Cox	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1297 (Frommer)**—An act to add Section 254 to the Insurance Code, and to add Section 19188 to the Revenue and Taxation Code, relating to taxation.

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 Frommer moved a call of the Assembly.

Motion carried. Time, 1:54 p.m.

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

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

**SENATE CONCURRENT RESOLUTION NO. 94 (Ortiz)**—Relative to Ovarian Cancer Awareness Month.

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Resolution ordered transmitted to the Senate.

**SENATE BILL NO. 1478 (Sher)**—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 387, 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, and Article 9 (commencing with Section 635) to Chapter 3 of Part 1 of Division 1 of, the Public Utilities Code, relating to energy.

Bill read third time.

**Motion to Amend**

Assembly Member Jackson moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—72**

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

**NOES—4**

Haynes	Houston	Keene	La Malfa
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Bill ordered reprinted.

**Assembly Rule 69(d) Suspended**

Assembly Member Jackson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1478, as amended, without reference to file.

**SENATE BILL NO. 1478 (Sher)**—An act to amend Sections 25740, 25743, 25744, and 25748 of, and to repeal Sections 25745 and 25749 of, the Public Resources Code, and to amend Sections 387, 399.11, 399.12, 399.13, 399.14, 399.15, and 399.16 of, and to add Section 399.17 to, and Article 9 (commencing with Section 635) to Chapter 3 of Part 1 of Division 1 of, the Public Utilities Code, relating to energy.

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

Bill passed by the following vote:

**AYES—55**

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

**NOES—24**

Aghazarian	Harman	Leslie	Plescia
Benoit	Haynes	Maze	Runner
Bogh	Houston	McCarthy	Samuelian
Cogdill	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Strickland
Dutton	La Suer	Pacheco	Wyland

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1510**, on request of Assembly Member Pacheco.

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

**SENATE BILL NO. 1488 (Bowen)**—An act relating to the Public Utilities Commission.

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

Bill passed by the following vote:

**AYES—75**

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

**NOES—3**

Haynes	Plescia	Runner
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Bill ordered transmitted to the Senate immediately.

**SENATE BILL NO. 1210 (Torlakson)**—An act to amend Section 217 of, and to add and repeal Sections 217.7, 217.8, and 217.9 of, the Streets and Highways Code, relating to highways.

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

Bill passed by the following vote:

**AYES—79**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1155**

At 2:27 p.m., on motion of Assembly Member Frommer, 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. 1155 by the following vote:

**AYES—48**

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

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1549**

At 2:24 p.m., on motion of Assembly Member Correa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1549 passed by the following vote:

**AYES—53**

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

**NOES—27**

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

Bill ordered transmitted to the Senate.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1043**, on request of Assembly Member Steinberg.

**ADJOURN IN MEMORY**

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

(Assembly Rule 45.5 suspended.)

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

**ASSEMBLY BILL NO. 606 (Nunez)**—An act to add Section 512.3 to the Labor Code, relating to employment conditions.

Bill presented by Assembly Member Frommer.

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 Frommer moved a call of the Assembly.

Motion carried. Time, 2:37 p.m.

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

**At 2:38 p.m., Hon. Sarah Reyes, 31st District, presiding**

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:38 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 2004

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

Assembly Bill No. 3041

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.

Senate Chamber, August 27, 2004

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

Assembly Bill No. 164

Assembly Bill No. 1906

Assembly Bill No. 664

Assembly Bill No. 2165

Assembly Bill No. 1068

Assembly Bill No. 2251

Assembly Bill No. 1077

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, August 26, 2004

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

- Assembly Bill No. 1075
- Assembly Bill No. 1367
- Assembly Bill No. 2113

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, August 27, 2004

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

- |                        |                        |
|------------------------|------------------------|
| Assembly Bill No. 578  | Assembly Bill No. 2466 |
| Assembly Bill No. 825  | Assembly Bill No. 2683 |
| Assembly Bill No. 974  | Assembly Bill No. 2891 |
| Assembly Bill No. 1383 | Assembly Bill No. 3017 |
| Assembly Bill No. 1417 |                        |

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.

**ADJOURN IN MEMORY**

Assembly Member Correa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dolores Romo Esqueda, of Santa Ana.

(Assembly Rule 45.5 suspended.)

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1795**, on request of Assembly Member Levine.

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

**SENATE BILL NO. 1853 (Perata)**—An act to amend Section 4996.9 of the Business and Professions Code, relating to clinical social work.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:57 p.m.

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

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member La Malfa was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting Kyle and Allison La Malfa to sit at his desk in the Assembly Chamber.

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

**SENATE JOINT RESOLUTION NO. 31 (McPherson)**—Relative to vocational and technical education.

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

**AYES—79**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

**ASSEMBLY BILL NO. 2710 (Liu)**—An act to add Sections 66024.5, 66024.6, 66024.7, and 66024.8 to, and to add the heading of Article 3.5 (commencing with Section 66024.5) to Chapter 2 of Part 40 of, the Education Code, relating to public postsecondary education.

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

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

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

**AYES—57**

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

**NOES—22**

Aghazarian	Harman	Leslie	Runner
Bates	Haynes	Maddox	Spitzer
Benoit	Houston	Maze	Strickland
Campbell	Keene	McCarthy	Wyland
Cogdill	La Malfa	Nakanishi	
Cox	La Suer	Plescia	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 269 (Mullin)**—An act to add and repeal Section 33334.30 of the Health and Safety Code, relating to redevelopment.

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—79**

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

**NOES—None**

Above bill ordered enrolled.

**CONFERENCE COMMITTEE REPORTS**

**SENATE BILL NO. 550 (As proposed by the Conference Committee)**—An act to amend Sections 1240, 14501, 17002, 17014, 17032.5, 17070.15, 17070.75, 17087, 17089, 33126, 33126.1, 41020, 52055.625, 52055.640, 60119, 60240, and 60252 of, to add Sections 35186, 41344.4, and 52055.662 to, and to repeal Section 62000.4 of, the Education Code, and to amend Section 36 of Chapter 216 of the Statutes of 2004, relating to education, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Goldberg.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—79**

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

**NOES—None**

The question being on the adoption of the Conference Report.  
Report adopted by the following vote:

**AYES—79**

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

**NOES—None**

**ASSEMBLY BILL NO. 3001 (As proposed by the Conference Committee)**—An act to amend Sections 42127.6, 44225.6, 44258.9, 44272, 44275.3, 44325, 44453, 44511, 52055.640, and 52059 of the Education Code, relating to teachers, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Dymally.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—79

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

#### NOES—None

The question being on the adoption of the Conference Report.  
Report adopted by the following vote:

#### AYES—79

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

#### NOES—None

**ASSEMBLY BILL NO. 1550 (As proposed by the Conference Committee)**—An act to amend Section 37670 of, to add an article heading immediately preceding Section 37670 of, and to add Article 2 (commencing with Section 37680) to Chapter 5.5 of Part 22 of, the Education Code, relating to year-round schools, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Daucher.

### Urgency Clause

Urgency clause read, and adopted by the following vote:

#### AYES—80

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

#### NOES—None

The question being on the adoption of the Conference Report.  
Report adopted by the following vote:

#### AYES—80

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

#### NOES—None

**SENATE BILL NO. 6 (As proposed by the Conference Committee)**—An act to add Section 41207.5 to, and to add Article 1.5 (commencing with Section 17592.70) to Chapter 5 of Part 10.5 of, the Education Code, relating to school facilities, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Liu.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—79**

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

**NOES—None**

The question being on the adoption of the Conference Report.  
Report adopted by the following vote:

**AYES—79**

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

**NOES—None**

**SENATE BILL NO. 1897 (As proposed by the Conference Committee)**—An act to add Sections 8203.1, 8203.6, 8273, and 8274 to, and to add Article 18.5 (commencing with Section 8410) to Chapter 2 of Part 6 of, the Education Code, relating to child care.

Conference Committee Report presented by Assembly Member Goldberg.

Report adopted by the following vote:

**AYES—47**

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

**NOES—32**

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

**Vote Changes**

By unanimous consent, the following vote changes were permitted on the Conference Committee Report on Senate Bill No. 1897: Assembly Members Keene and Parra from “Aye” to “No”.



**ASSEMBLY BILL NO. 242 (As proposed by the Conference Committee)**—An act to add Sections 44201.1, 44227.8, 44830.4, 45062 to, to add Article 3.5 (commencing with Section 66026) and Article 3.7 (commencing with Section 66027) to Chapter 2 of Part 40 of, and to amend, repeal, and add Section 44300 of, the Education Code, relating to teachers.

Conference Committee Report presented by Assembly Member Liu.

Report adopted by the following vote:

**AYES—67**

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

**NOES—11**

Bogh	Harman	La Suer	Plescia
Campbell	Haynes	Maze	Wyland
Cox	La Malfa	Nakanishi	

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1975 (Bermudez)**—An act to amend Section 2232 of the Business and Professions Code, relating to medicine.

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—71**

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

**NOES—2**

Leno	Yee
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**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1975: Assembly Member Yee from "Aye" to "No".

Above bill ordered enrolled.

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 2196**

Assembly Member Garcia was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2196; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 16, 2004 (Assembly Journal, page 7199); and whereby on August 12, 2004 (Assembly Journal, page 7027), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be placed upon the inactive file.

**At 3:38 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1723 (Koretz)**—An act to add Section 213.5 to the Labor Code, relating to wages.

Bill presented by Assembly Member Steinberg.

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.)*

**Point of Personal Privilege**

Assembly Member Maze arose to a point of personal privilege.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:56 p.m.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 1367, to the Committee on Health;

Assembly Bill No. 664, to the Committee on Insurance;

Assembly Bill No. 2466, to the Committee on Revenue and Taxation.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees as noted:

Committee on Natural Resources to hear Assembly Bill No. 2396, today;

Committee on Health to hear Assembly Bills Nos. 262 and 1367, today;

Committee on Transportation to hear Assembly Bills Nos. 1394 and 1009, today;

Committee on Insurance to hear Assembly Bill No. 664, today;

Committee on Revenue and Taxation to hear Assembly Bills Nos. 2466 and 1412, today.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 3:57 p.m., by unanimous consent, the members of the Committee on Health were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**MOTION TO SET FOR TIME CERTAIN**

Assembly Member Frommer moved that all motions to reconsider on today's unfinished business file be set for time certain at 4:30 p.m. today.

Motion carried.

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

**ASSEMBLY BILL NO. 421 (Steinberg)**—An act relating to property insurance.

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 Steinberg moved a call of the Assembly.

Motion carried. Time, 4:05 p.m.

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

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Hancock was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting her husband, former Assembly Member Tom Bates and her grandson Sasha Bates, to sit at her desk in the Assembly Chamber.

Assembly Member La Malfa was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his daughters, Sophia and Natalie, to be at his desk in the Assembly Chamber.

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

**ASSEMBLY BILL NO. 2006 (Nunez)**—An act to amend Sections 301 and 303 of, to add Sections 250, 303.5, 454.05, and 1001.7 to, to add Chapter 2.4 (commencing with Section 400) to Part 1 of Division 1 of, and to repeal Section 330 of, the Public Utilities Code, relating to public utilities.

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 Frommer moved a call of the Assembly.

Motion carried. Time, 4:22 p.m.

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

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

**SENATE BILL NO. 437 (Burton)**—An act to amend, repeal, and add Sections 20677.4 and 20687 of the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:24 p.m.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 2251, to the Committee on Environmental Safety and Toxic Materials;

Assembly Bills Nos. 2113 and 1383, to the Committee on Appropriations.

**CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 606**

At 4:31 p.m., on motion of Assembly Member Frommer, 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. 606 by the following vote:

**AYES—43**

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

**NOES—32**

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

Above bill ordered enrolled.

**REQUEST FOR RECONSIDERATION BY UNANIMOUS CONSENT**

Assembly Member Frommer requested unanimous consent that the votes be reconsidered on Senate Bills Nos. 1648, 1164, 17, 1563, 1566, 217, 779, 1397, and 131; and Assembly Bill No. 1927.

Assembly Member Cogdill withheld unanimous consent.

**Motion to Reconsider Senate Bill No. 1648**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 1648 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 1164**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 1164 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Assembly Bill No. 1927**

Assembly Member Frommer moved that the vote be reconsidered whereby Assembly Bill No. 1927 was refused concurrence in Senate amendments.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 17**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 17 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 17**, on request of Assembly Member Frommer.



**Motion to Reconsider Senate Bill No. 1563**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 1563 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 1566**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 1566 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 217**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 217 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 779**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 779 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 1397**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 1397 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**Motion to Reconsider Senate Bill No. 131**

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 131 was refused passage.

Assembly Member Calderon seconded the motion.

Motion to reconsider carried by the following vote:

**AYES—45**

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

**NOES—32**

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 1648**

**SENATE BILL NO. 1648 (Chesbro)**—An act to amend Sections 4631, 4631.5, 4637, 4638, 4639, 4640, 4651, and 4653 of, to add Sections 4638.5 and 4639.5 to, to add Article 5 (commencing with Section 4665) to Chapter 9 of Part 2 of Division 4 of, and to repeal Section 4636 of, the Public Resources Code, relating to forest resources.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:48 p.m.

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 1164**

**SENATE BILL NO. 1164 (Romero)**—An act to add Sections 2602 and 2603 to the Penal Code, relating to prisoners.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:48 p.m.

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 1563**

**SENATE BILL NO. 1563 (Escutia)**—An act to add Chapter 9.3 (commencing with Section 4430) to Division 2 of the Business and Professions Code, relating to drug wholesalers and manufacturers.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 4:51 p.m.

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

**FURTHER CONSIDERATION OF SENATE BILL NO. 1566**

**SENATE BILL NO. 1566 (Escutia)**—An act to amend Sections 49430, 49431, 49431.5, and 49433.7 of, and to add Section 49431.7 to, the Education Code, relating to schools.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:03 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1648**

At 5:04 p.m., on motion of Assembly Member Simitian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1648 passed by the following vote:

**AYES—43**

Berg	Firebaugh	Lieber	Pavley
Calderon	Frommer	Liu	Ridley-Thomas
Canciamilla	Goldberg	Longville	Salinas
Chan	Hancock	Lowenthal	Simitian
Chavez	Horton, Jerome	Maddox	Steinberg
Chu	Jackson	Maldonado	Wesson
Cohn	Kehoe	Montanez	Wiggins
Corbett	Koretz	Mullin	Wolk
Diaz	Laird	Nakano	Yee
Dutra	Leno	Nation	Mr. Speaker
Dymally	Levine	Oropeza	

**NOES—34**

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

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1648: Assembly Member Levine from "No" to "Aye"; Assembly Member Vargas from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred the following Assembly bill to committee as noted:

Assembly Bill No. 664, to the Committee on Insurance.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 5:04 p.m., by unanimous consent, the members of the Committee on Insurance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**FURTHER CONSIDERATION OF SENATE BILL NO. 217**

**SENATE BILL NO. 217 (Sher)**—An act to add Section 4582.1 to the Public Resources Code, relating to forest resources.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:11 p.m.

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

**ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Frommer was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate amendments to the following Assembly bills:

Assembly Bills Nos. 164, 578, 664, 825, 974, 1010, 1020, 1068, 1075, 1077, 1367, 1383, 1417, 1486, 1906, 2113, 2165, 2251, 2466, 2683, 2891, 3017, and 3041.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 1383, 1629, and 2113 for hearing in the Committee on Appropriations, today.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1845**, on request of Assembly Member Lieber.

(NOTE: Later this day, the action was rescinded whereby the above bill was placed upon the inactive file. See page 8005.)

**FURTHER CONSIDERATION OF SENATE BILL NO. 779**

**SENATE BILL NO. 779 (Speier)**—An act to add Article 5 (commencing with Section 110424.10) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to food.

Bill read third time, and presented by Assembly Member Montanez. The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 5:14 p.m.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 131**, on request of Assembly Member Leno.

**REPORTS OF STANDING COMMITTEES****Committee on Water, Parks and Wildlife**

Date of Hearing: August 27, 2004

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

Assembly Bill No. 1020

With the recommendation: That the Senate amendments be concurred in.

CANCIAMILLA, Chair

Above bill ordered to unfinished business.

**Committee on Education**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 1010

Assembly Bill No. 1486

With the recommendation: That the Senate amendments be concurred in.

GOLDBERG, Chair

Above bills ordered to unfinished business.

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

**ASSEMBLY BILL NO. 1020 (Steinberg)**—An act to amend Section 12670.14 of the Water Code, relating to water.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3041 (Committee on Environmental Safety and Toxic Materials)**—An act to amend Sections 25218.5, 25299, 25502, and 25504.1 of the Health and Safety Code, relating to hazardous materials, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—79**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	

**NOES—None**

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

**AYES—79**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	

**NOES—None**

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 2465**, on request of Assembly Member Laird.



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

**ASSEMBLY BILL NO. 1010 (Pavley)**—An act to add Sections 60063, and 60064 to the Education Code, relating to instructional materials.

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

**NOES—1**

Haynes

Above bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1486 (Dutra)**—An act to amend Section 17406 of, and to add and repeal Article 2.2 (commencing with Section 17429.1) of Chapter 4 of Part 10.5 of, the Education Code, relating to school facilities.

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—58**

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

**NOES—22**

Aghazarian	Cox	La Suer	Plescia
Bates	Dutton	Maze	Runner
Benoit	Haynes	McCarthy	Spitzer
Bogh	Horton, Shirley	Mountjoy	Wyland
Campbell	Houston	Nakanishi	
Cogdill	Keene	Pacheco	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1486: Assembly Members Bates, Campbell, Cox, Dutton, Shirley Horton, Houston, Keene, Pacheco, and Spitzer from "Aye" to "No".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 164 (Wolk)**—An act to amend Section 44512 of the Education Code, relating to teachers.

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

**NOES—1**

Haynes

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1068 (Liu)**—An act to add and repeal Chapter 6.76 (commencing with Section 25299.100) of Division 20 of the Health and Safety Code, relating to underground storage tanks, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1077 (Wesson)**—An act to amend Sections 15819.60 and 15819.65 of the Government Code, and to amend Section 1104.2 of the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—1**

Campbell

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

**AYES—77**

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

**NOES—1**

Campbell

**Vote Changes**

By unanimous consent, the following vote change was permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 1077: Assembly Member Shirley Horton from "No" to "Aye".

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2165 (Houston)**—An act to add Section 8686.1 to the Government Code, relating to disaster relief, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
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	Mountjoy	Strickland
Chu	Houston	Mullin	Vargas
Cogdill	Keene	Nakanishi	Wesson
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

**NOES—None**

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

**AYES—78**

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
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	Mountjoy	Strickland
Chu	Houston	Mullin	Vargas
Cogdill	Keene	Nakanishi	Wesson
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 578 (Leno)**—An act to add Article 6 (commencing with Section 27390) to Chapter 6 of Division 2 of Title 3 of the Government Code, relating to county recorders, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 974 (Nation)**—An act to add and repeal Section 60401 of the Education Code, relating to instructional materials.

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 Nation moved a call of the Assembly.

Motion carried. Time, 5:37 p.m.

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

**At 5:37 p.m., Speaker Fabian Nunez, 46th District, presiding**

**ASSEMBLY BILL NO. 1417 (Pacheco)**—An act relating to community colleges, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2683 (Lieber)**—An act to amend Section 44011 of the Health and Safety Code, and to amend Sections 4000.1 and 4000.2 of the Vehicle Code, relating to air pollution.

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—46**

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

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2006**

At 5:55 p.m., on motion of Assembly Member Frommer, 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. 2006 by the following vote:

**AYES—45**

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

**NOES—30**

Aghazarian	Daucher	La Malfa	Plescia
Bates	Dutton	La Suer	Richman
Benoit	Garcia	Leslie	Runner
Bogh	Harman	Maldonado	Simitian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Shirley	McCarthy	Wyland
Cogdill	Houston	Pacheco	
Cox	Keene	Parra	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1906 (Lowenthal)**—An act to amend Section 25299.43 of, and to add and repeal Section 25299.50.2 of, the Health and Safety Code, relating to hazardous materials.

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—51**

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

**NOES—29**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1164**

At 5:56 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Bermudez moved to continue the call of the Assembly.

Motion carried. Time, 5:56 p.m.

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

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2891 (Frommer)**—An act to amend Section 18990 of the Government Code, relating to employment.

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—51**

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

**NOES—27**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 3017 (Firebaugh)**—An act relating to pupils, and making an appropriation therefor.

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—51**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 437**

At 5:59 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Frommer moved to continue the call of the Assembly.

Motion carried. Time, 5:59 p.m.

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

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 1571**, on request of Assembly Member Nunez.

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONFERENCE COMMITTEE REPORTS**

**ASSEMBLY BILL NO. 1980** (As proposed by the Conference Committee)—An act to amend Section 83124 of, and to add Section 85301.5 to, the Government Code, relating to the Political Reform Act of 1974.

Conference Committee Report presented by Assembly Member Wolk.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 6:04 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1164**

At 6:04 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Cogdill moved to continue the call of the Assembly.

Motion carried. Time, 6:05 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2277**

At 6:07 p.m., on motion of Assembly Member Dymally, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Dymally moved to continue the call of the Assembly.

Motion carried. Time, 6:07 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 6:10 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 2004

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

Assembly Bill No. 379

Assembly Bill No. 2122

Assembly Bill No. 780

Assembly Bill No. 2598

Assembly Bill No. 1240

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, August 27, 2004

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

Assembly Bill No. 2895

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.

Senate Chamber, August 27, 2004

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

Assembly Bill No. 2596

Assembly Bill No. 2682

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, August 27, 2004

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

Assembly Bill No. 2366

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.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker Nunez re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 780, to the Committee on Education;

Assembly Bill No. 2122, to the Committee on Higher Education;

~~Assembly Bill No. 2895, to the Committee on Transportation.~~

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 2895 was re-referred to the Committee on Transportation. See page 8005.)

**At 6:14 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 974**

At 6:14 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Record Expunged and Action Rescinded on Assembly Bill No. 974**

Assembly Member Nation was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Assembly Bill No. 974.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 974 to the Committee on Appropriations.

**JOINT RULE 62(a) WAIVED**

Speaker pro Tempore Yee was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 974 for hearing in the Committee on Appropriations, today.

**FURTHER CONSIDERATION OF SENATE BILL NO. 1397**

**SENATE BILL NO. 1397 (Escutia)**—An act to add Article 4.5 (commencing with Section 40459.5) to Chapter 5.5 of Part 3 of the Health and Safety Code, relating to air pollution.

Bill read third time, and presented by Assembly Member Montanez.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 6:25 p.m.

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

**CONSIDERATION OF DAILY FILE (RESUMED)  
UNFINISHED BUSINESS (RESUMED)  
CONFERENCE COMMITTEE REPORTS**

**ASSEMBLY BILL NO. 1831 (As proposed by the Conference Committee)**—An act to add Section 8592.10 to the Government Code, relating to homeland security.

Conference Committee Report presented by Assembly Member Bermudez.

Report adopted by the following vote:

**AYES—76**

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

**NOES—2**

Cox	Haynes
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**Vote Changes**

By unanimous consent, the following vote change was permitted on the Conference Committee Report on Assembly Bill No. 1831: Assembly Member Cox from "Aye" to "No".

**JOINT RULE 62(a) WAIVED**

Assembly Member Reyes was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 2251 for hearing in the Committee on Environmental Safety and Toxic Materials, today.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Maze was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his wife, Rebecca Maze, to sit at his desk in the Assembly Chamber.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Bermudez announced that the Committee on Revenue and Taxation would meet today during the recess of Floor Session.

Assembly Member Laird announced that the Committee on Environmental Safety and Toxic Materials would meet today during the recess of Floor Session.

**RECESS**

By unanimous consent, at 6:32 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

**COMMITTEE MEETING ANNOUNCEMENTS**

At 7:35 p.m., Assembly Member Bermudez announced that the Committee on Revenue and Taxation would meet in the Tom Bane Rules Committee Room.

**RECONVENED**

At 8:23 p.m., the Assembly reconvened.  
Hon. Sally J. Lieber, Assistant Speaker pro Tempore of the Assembly, presiding.

**MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 2004

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

Assembly Bill No. 923

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.

Senate Chamber, August 27, 2004

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

Assembly Bill No. 2101

Assembly Bill No. 2525

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, August 27, 2004

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

Assembly Bill No. 389

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.

Senate Chamber, August 27, 2004

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

Assembly Bill No. 95

Assembly Bill No. 1426

Assembly Bill No. 1253

Assembly Bill No. 1782

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, August 27, 2004

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

Assembly Bill No. 135

Assembly Bill No. 2532

Assembly Bill No. 712

Assembly Bill No. 2727

Assembly Bill No. 1588

Assembly Bill No. 2519

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, August 27, 2004

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

Assembly Bill No. 2103

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.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Lieber re-referred Assembly Bill No. 2101 to the Committee on Human Services.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 8:37 p.m., by unanimous consent, the members of the Committee on Environmental Safety and Toxic Materials were excused for the purpose of attending a meeting of the committee at this time, in the Willie L. Brown, Jr. Conference Room, and without objection, the House was permitted to continue in Floor session.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Assistant Speaker pro Tempore Lieber re-referred Assembly Bill No. 923 to the Committees on Transportation and Appropriations.

**At 8:46 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY JOINT RESOLUTION NO. 56 (Frommer)**—Relative to the extension of the 1994 ban on assault weapons.

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.

**Call of the Assembly**

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

Motion carried. Time, 8:47 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1566**

At 8:51 p.m., on motion of Assembly Member Goldberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1566 refused passage by the following vote:

**AYES—36**

Berg	Frommer	Levine	Pavley
Chan	Garcia	Lieber	Reyes
Chavez	Goldberg	Longville	Ridley-Thomas
Chu	Hancock	Lowenthal	Salinas
Cohn	Jackson	Montanez	Steinberg
Corbett	Kehoe	Mullin	Vargas
Diaz	Koretz	Nakano	Wesson
Dymally	Laird	Nation	Wiggins
Firebaugh	Leno	Oropeza	Mr. Speaker

**NOES—38**

Aghazarian	Daucher	Leslie	Richman
Bates	Dutra	Maldonado	Runner
Benoit	Dutton	Matthews	Samuelian
Bogh	Harman	Maze	Spitzer
Calderon	Haynes	McCarthy	Strickland
Campbell	Horton, Shirley	Mountjoy	Wolk
Canciamilla	Houston	Nakanishi	Wyland
Cogdill	Keene	Pacheco	Yee
Correa	La Malfa	Parra	
Cox	La Suer	Plescia	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1853**

At 8:55 p.m., on motion of Assembly Member Corbett, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**Record Expunged and Action Rescinded on Senate Bill No. 1853**

Assembly Member Corbett was granted unanimous consent that the record be expunged and the action rescinded whereby a roll call vote was taken on this day on Senate Bill No. 1853, and that the bill be placed upon the inactive file.

**REPORTS OF STANDING COMMITTEES  
Committee on Governmental Organization**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 864

Assembly Bill No. 3085

With the recommendation: That the Senate amendments be concurred in.

JEROME HORTON, Chair

Above bills ordered to unfinished business.

**Committee on Local Government**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 2155

With the recommendation: That the Senate amendments be concurred in.

SALINAS, Chair

Above bill ordered to unfinished business.

**Committee on Health**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 262

Assembly Bill No. 1367

With the recommendation: That Senate amendments be concurred in.

COHN, Chair

Above bills ordered to unfinished business file.

**Committee on Insurance**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 664

With the recommendation: That the Senate amendments be concurred in.

VARGAS, Chair

Above bill ordered to unfinished business.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 379 (Mullin)**—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

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 Mullin moved a call of the Assembly.

Motion carried. Time, 8:59 p.m.

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

**ASSEMBLY BILL NO. 1240 (Mullin)**—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, relating to care facilities, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2598 (Steinberg)**—An act to amend Sections 1353.6, 1363, 1365.1, 1365.2, and 1367.1 of, to add Section 1367.4 to, and to repeal Section 1366.3 of, the Civil Code, and to amend Section 116.540 of, and to add Section 729.035 to, the Code of Civil Procedure, relating to common interest developments.

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—69**

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

**NOES—7**

Aghazarian	Daucher	Maze	Spitzer
Cox	Haynes	Plescia	

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 2454**, on request of Assembly Member Levine.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 437**

At 9:07 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Frommer moved to continue the call of the Assembly.

Motion carried. Time, 9:07 p.m.

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

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the following bills to be heard in committees today:

- Committee on Education to hear Assembly Bill No. 780;
- Committee on Higher Education to hear Assembly Bill No. 2122;
- Committee on Transportation to hear Assembly Bills Nos. 923, 1394, 1009, and 2895;
- Committee on Human Services to hear Assembly Bill No. 2101;
- Committee on Appropriations to hear Senate Bill No. 1778.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Assembly Bill No. 2451**, on request of Assembly Member Firebaugh.

**ACTION RESCINDED ON SENATE BILL NO. 1845**

Assembly Member Frommer was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 7982), Senate Bill No. 1845 was placed upon the inactive file.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 2895**

Assembly Member Frommer was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 7998), Assembly Bill No. 2895 was re-referred to the Committee on Transportation pursuant to Assembly Rule 77.2.

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

**ASSEMBLY BILL NO. 864 (Firebaugh)**—An act to amend Section 19961 of, and to add Section 19961.1 to, the Business and Professions Code, relating to gambling.

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 Firebaugh moved a call of the Assembly.

Motion carried. Time, 9:10 p.m.

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

**ASSEMBLY BILL NO. 2155 (Vargas)**—An act to amend Section 170042 of the Public Utilities Code, relating to the San Diego County Regional Airport Authority.

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	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
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	Mountjoy	Strickland
Chu	Houston	Mullin	Vargas
Cogdill	Keene	Nakanishi	Wesson
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

**NOES—None**

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2895 WITHOUT REFERENCE TO FILE**

Assembly Member Nunez was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 2895, without reference to file.

**ASSEMBLY BILL NO. 2895 (Nunez)**—An act to amend Section 197 of the Civil Code, and to amend Sections 1653.5, 12800, and 12801.5 of, to add Sections 1672.6, 1808.10, 12801.2, 12801.9, and 12801.10 to, to repeal and add Section 12801 of, and to repeal Section 14610.7 of, the Vehicle Code, relating to vehicles.

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.)*

**Assembly Rule 112 Suspended**

Assembly Members La Suer and Nunez were granted unanimous consent that Assembly Rule 112 be suspended to grant permission to read a paper on the Floor of the Assembly.

The question being on concurrence in Senate amendments.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:03 p.m.

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

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Harman was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his wife, Dianne Harman, to sit at his desk in the Assembly Chamber.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2895**

At 10:05 p.m., on motion of Assembly Member Nunez, 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. 2895 by the following vote:

**AYES—43**

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

**NOES—35**

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

Above bill ordered enrolled.

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

**ASSEMBLY BILL NO. 1075 (Matthews)**—An act to add Section 15202.3 to, and to add and repeal Section 15202.4 of, the Government Code, relating to law enforcement expenses, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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



**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1164**

At 10:06 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1164 passed by the following vote:

**AYES—44**

Berg	Frommer	Lieber	Richman
Calderon	Goldberg	Liu	Ridley-Thomas
Campbell	Hancock	Longville	Salinas
Canciamilla	Haynes	Lowenthal	Samuelian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakanishi	Wesson
Cohn	Koretz	Nation	Wiggins
Diaz	Laird	Oropeza	Wolk
Dymally	Leno	Pavley	Yee
Firebaugh	Levine	Reyes	Mr. Speaker

**NOES—34**

Aghazarian	Dutra	Leslie	Parra
Bates	Dutton	Maddox	Plescia
Benoit	Garcia	Maldonado	Runner
Bermudez	Harman	Matthews	Simitian
Bogh	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Negrete McLeod	
Daucher	La Suer	Pacheco	

Bill ordered transmitted to the Senate immediately.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1723**

At 10:07 p.m., on motion of Assembly Member Steinberg, 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. 1723 by the following vote:

**AYES—41**

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

**NOES—35**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 391**

At 10:07 p.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Reyes moved to continue the call of the Assembly.

Motion carried. Time, 10:08 p.m.

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

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

Assembly Member Frommer was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Appropriations to notice hearing of Assembly Bill No. 923, pending re-referral to the committee.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 974 for hearing in the Committee on Appropriations today.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 421**

At 10:09 p.m., on motion of Assembly Member Steinberg, 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. 421 by the following vote:

**AYES—46**

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

**NOES—31**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 437**

At 10:10 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 10:10 p.m.

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

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

**ASSEMBLY BILL NO. 262 (Chan)**—An act to add Part 2.7 (commencing with Section 57) to Division 1 of the Civil Code, relating to personal information, and making an appropriation therefor.

**At 10:20 p.m., Assistant Speaker pro Tempore Sally J. Lieber,  
22nd District, presiding**

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.)*

**Point of Order**

Assembly Member Levine arose to the following point of order:

Assembly Member Bogh is not limiting debate to the merits of Assembly Bill No. 262.

**Ruling by Assistant Speaker pro Tempore Lieber**

The Assistant Speaker pro Tempore ruled the point of order well-taken.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 10:30 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 10:30 p.m., by unanimous consent, the members of the Committee on Human Services were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**REPORTS OF STANDING COMMITTEES  
Committee on Revenue and Taxation**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 2466

With the recommendation: That Senate amendments be concurred in.

BERMUDEZ, Chair

Above bill ordered to unfinished business file.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2466  
WITHOUT REFERENCE TO FILE**

Assembly Member Yee was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 2466, without reference to file.

**ASSEMBLY BILL NO. 2466 (Yee)**—An act to amend Sections 7204.03 and 7205 of the Revenue and Taxation Code, relating to taxation.

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—61**

Aghazarian	Goldberg	Maddox	Richman
Bates	Harman	Maldonado	Ridley-Thomas
Benoit	Horton, Jerome	Matthews	Salinas
Berg	Horton, Shirley	Maze	Samuelian
Bogh	Jackson	McCarthy	Simitian
Chavez	Keene	Montanez	Spitzer
Chu	Kehoe	Mountjoy	Steinberg
Cohn	Koretz	Mullin	Vargas
Correa	Laird	Nakano	Wesson
Cox	Leno	Nation	Wolk
Diaz	Leslie	Negrete McLeod	Wyland
Dutra	Levine	Oropeza	Yee
Dutton	Lieber	Pacheco	Mr. Speaker
Firebaugh	Liu	Parra	
Frommer	Longville	Plescica	
Garcia	Lowenthal	Reyes	

**NOES—12**

Calderon	Chan	Hancock	La Malfa
Campbell	Cogdill	Haynes	Nakanishi
Canciamilla	Corbett	Houston	Runner

Above bill ordered enrolled.

**At 10:41 p.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 864**

At 10:41 p.m., on motion of Assembly Member Firebaugh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Firebaugh moved to continue the call of the Assembly.

Motion carried. Time, 10:41 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2277**

At 10:42 p.m., on motion of Assembly Member Dymally, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Dymally moved to continue the call of the Assembly.

Motion carried. Time, 10:42 p.m.

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

**REPORTS OF STANDING COMMITTEES  
Committee on Appropriations**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1383

Assembly Bill No. 1629

With the recommendation: That the Senate amendments be concurred in.

CHU, Chair

Above bills ordered to unfinished business.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1383  
WITHOUT REFERENCE TO FILE**

Assembly Member Wesson was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1383, without reference to file.

**ASSEMBLY BILL NO. 1383 (Wesson)**—An act to amend Section 5066 of the Vehicle Code, relating to antiterrorism, and making an appropriation therefor.

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—79**

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

**NOES—None**

Above bill ordered enrolled.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 1426 to the Committee on Housing and Community Development.

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

**ASSEMBLY BILL NO. 3085 (Committee on Governmental Organization)**—An act to amend Sections 23009, 23356, and 25503.6 of, and to repeal Section 23323 of, the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 1367 (Steinberg)**—An act to add and repeal Article 6.6 (commencing with Section 14199) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code, relating to Medi-Cal.

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—61**

Bates	Firebaugh	Longville	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	Maldonado	Salinas
Calderon	Goldberg	Matthews	Samuelian
Canciamilla	Hancock	Montanez	Simitian
Chan	Horton, Jerome	Mullin	Spitzer
Chavez	Horton, Shirley	Nakanishi	Steinberg
Chu	Houston	Nakano	Vargas
Cohn	Jackson	Nation	Wesson
Corbett	Kehoe	Negrete McLeod	Wiggins
Correa	Koretz	Oropeza	Wolk
Daucher	Laird	Pacheco	Yee
Diaz	Leno	Parra	Mr. Speaker
Dutra	Levine	Pavley	
Dutton	Lieber	Plescia	
Dymally	Liu	Reyes	

**NOES—18**

Aghazarian	Cox	La Suer	Runner
Benoit	Harman	Leslie	Strickland
Bogh	Haynes	Maddox	Wyland
Campbell	Keene	Maze	
Cogdill	La Malfa	Mountjoy	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2596 (Liu)**—An act to amend Section 33126 of the Education Code, relating to education.

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

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

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

**AYES—79**

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

**NOES—1**

Haynes

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 437**

At 10:58 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 10:58 p.m.

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

**PARLIAMENTARY INQUIRY**

Assembly Member Campbell arose to the following parliamentary inquiry:

Have more than three Calls of the Assembly been placed on bills; and if so, what are the Rules relative to Calls?

**Reply by Speaker pro Tempore Yee**

The Speaker pro Tempore replied that the Rules are silent as to the number of Calls of the Assembly that may be placed.

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

**ASSEMBLY BILL NO. 2682 (Negrete McLeod)**—An act to amend, repeal, and add Section 4043 of, to add and repeal Section 4162.5 of, and to repeal and add Section 4161 of, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

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—58**

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

**NOES—22**

Aghazarian	Dutton	La Suer	Plescia
Benoit	Harman	Leslie	Runner
Bogh	Haynes	Maze	Strickland
Campbell	Houston	McCarthy	Wyland
Cogdill	Keene	Mountjoy	
Cox	La Malfa	Pacheco	

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 825 (Firebaugh)**—An act to amend Sections 42243.7, 52904, 54686.2, and 58562 of, to amend and repeal Sections 37252.8, 37253, 42239.1, 42239.15, 48431.6, 48431.7, and 48644.5 of, to amend, repeal, and add Section 42239 of, to add Sections 18185, 32228.6, 32296.10, 42289.6, 44579.6, 47774, 48642, 52002, 52891, 53032, 53095, 54206, 54669, 54735, 54763, and 58737 to, and to add Chapter 3.2 (commencing with Section 41500) to Part 24 of, the Education Code, relating to education finance.

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

**NOES—5**

Haynes	La Malfa	Runner
Keene	Maze	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 825: Assembly Member Wyland from “No” to “Aye”.

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2277**

At 11:01 p.m., on motion of Assembly Member Dymally, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Plescia moved to continue the call of the Assembly.

Motion carried. Time, 11:03 p.m.

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

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

**ASSEMBLY BILL NO. 664 (Lowenthal)**—An act to amend Sections 976.5, 976.8, 977, 982, 1036, and 1052 of, and to add Sections 336, 1061, 1145, and 2101.6 to, the Unemployment Insurance Code, relating to unemployment insurance, and making an appropriation therefor.

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—48**

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

**NOES—29**

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

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 671 (Corbett)**—An act to add Section 13105 to the Government Code, relating to infrastructure planning.

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—51**

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

**NOES—28**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1563**

At 11:13 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Mountjoy moved to continue the call of the Assembly.

Motion carried. Time, 11:15 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY  
CLAUSE TO SENATE BILL NO. 437**

At 11:18 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 437 adopted by the following vote:

**AYES—54**

Benoit	Firebaugh	Longville	Ridley-Thomas
Berg	Frommer	Lowenthal	Salinas
Bermudez	Goldberg	Maddox	Samuelian
Calderon	Hancock	Matthews	Simitian
Canciamilla	Haynes	Montanez	Steinberg
Chan	Horton, Jerome	Mullin	Strickland
Chavez	Jackson	Nakano	Vargas
Chu	Kehoe	Nation	Wesson
Cohn	Koretz	Negrete McLeod	Wiggins
Corbett	Laird	Oropeza	Wolk
Cox	Leno	Parra	Yee
Diaz	Levine	Pavley	Mr. Speaker
Dutra	Lieber	Plescia	
Dymally	Liu	Reyes	

**NOES—26**

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Richman
Bogh	Harman	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	
Daucher	La Malfa	Nakanishi	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—54**

Benoit	Firebaugh	Longville	Ridley-Thomas
Berg	Frommer	Lowenthal	Salinas
Bermudez	Goldberg	Maddox	Samuelian
Calderon	Hancock	Matthews	Simitian
Canciamilla	Haynes	Montanez	Steinberg
Chan	Horton, Jerome	Mullin	Strickland
Chavez	Jackson	Nakano	Vargas
Chu	Kehoe	Nation	Wesson
Cohn	Koretz	Negrete McLeod	Wiggins
Corbett	Laird	Oropeza	Wolk
Cox	Leno	Parra	Yee
Diaz	Levine	Pavley	Mr. Speaker
Dutra	Lieber	Plescia	
Dymally	Liu	Reyes	

**NOES—26**

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Richman
Bogh	Harman	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	
Daucher	La Malfa	Nakanishi	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on the urgency clause to Senate Bill No. 437, and on passage of the bill: Assembly Members Shirley Horton and Maldonado from "Aye" to "No".

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2328 (Wyland)**—An act to amend Sections 23809 and 24654 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill presented by Assembly Member Campbell.

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 Reyes moved a call of the Assembly.

Motion carried. Time, 11:21 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 11:23 p.m., by unanimous consent, the members of the Committee on Education were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**RECESS**

By unanimous consent, at 11:24 p.m., Speaker pro Tempore Yee declared the Assembly recessed.

**RECONVENED**

At 11:38 p.m., the Assembly reconvened.

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

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1426 for hearing in the Committee on Housing and Community Development.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 2366 to the Committee on Transportation.

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

**ASSEMBLY BILL NO. 1074 (Chavez)**—An act to add Section 18713 to the Business and Professions Code, relating to boxing.

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	Dutton	Levine	Plescica
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
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	Mountjoy	Strickland
Chu	Houston	Mullin	Vargas
Cogdill	Keene	Nakanishi	Wesson
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Oropeza	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

**NOES—None**

Above bill ordered enrolled.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 754**, on request of Assembly Member Levine.



**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 217**

At 11:40 p.m., on motion of Assembly Member Wolk, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Wolk moved to continue the call of the Assembly.

Motion carried. Time, 11:40 p.m.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 11:41 p.m., by unanimous consent, the members of the Committee on Housing and Community Development were excused for the purpose of attending a meeting of the committee at this time, in the Willie L. Brown, Jr. Conference Room, and without objection, the House was permitted to continue in Floor session.

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

**SENATE BILL NO. 1845 (Perata)**—An act to amend Sections 14526, 14552, 14573, and 14574.1 of, and to add Section 14552.2 to, the Welfare and Institutions Code, relating to adult day health care.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:50 p.m.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO  
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 1588 to the Committee on Natural Resources.

**CONSIDERATION OF SENATE BILL NO. 1752 BY UNANIMOUS CONSENT**

Assembly Member Bogh was granted unanimous consent to take up Senate Bill No. 1752 without reference to file, for purpose of consideration.

**SENATE BILL NO. 1752 (Battin)**—An act relating to state property.

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

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 11:59 p.m.

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

**REPORTS OF STANDING COMMITTEES**  
**Committee on Utilities and Commerce**

Date of Hearing: August 26, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports:  
 Senate Bill No. 118

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

REYES, Chair

Above bill ordered to second reading.

**SECOND READING OF BILLS BY UNANIMOUS CONSENT**

Pursuant to unanimous consent granted earlier this day, the following bill was taken up without reference to file for purpose of second reading and adoption of committee amendments, and the bill ordered to the third reading file:

**SENATE BILL NO. 118**—An act to add Division 16.7 (commencing with Section 26420) to the Public Resources Code, and to amend Sections 399.15 and 2827 of, and to add Chapter 8 (commencing with Section 2830) to, the Public Utilities Code, relating to solar energy.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted, bill ordered reprinted and to be placed upon the third reading file.

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**SIX HUNDRED THIRTY-SIXTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, August 28, 2004

At 12 midnight.

Speaker pro Tempore Leland Y. Yee, presiding.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Higher Education**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Higher Education reports:  
 Assembly Bill No. 2122

With the recommendation: That Senate amendments be concurred in.

LIU, Chair

Above bill ordered to unfinished business file.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:  
 Assembly Bill No. 2251

With the recommendation: That the Senate amendments be concurred in.

LAIRD, Chair

Above bill ordered to unfinished business.

**Committee on Education**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Education reports:  
 Assembly Bill No. 780

With the recommendation: That Senate amendments be concurred in.

GOLDBERG, Chair

Above bill ordered to unfinished business file.

**Committee on Human Services**

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 2101

With the recommendation: That Senate amendments be concurred in.

WOLK, Chair

Above bill ordered to unfinished business file.

**Committee on Housing and Community Development**

Date of Hearing: August 27, 2004

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

Assembly Bill No. 1426

With the recommendation: That the Senate amendments be concurred in.

LOWENTHAL, Chair

Above bill ordered to unfinished business.

**MESSAGES FROM THE SENATE**

August 28, 2004

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 592 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Above bill held at the Desk.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1253 (Bermudez)**—An act relating to school transportation.

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—71**

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

**NOES—3**

Campbell	Haynes	Richman
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1782 (Jerome Horton)**—An act to add Section 5442.14 to the Business and Professions Code, relating to outdoor advertising.

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—67**

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

**NOES—4**

Jackson	Laird	Pavley	Wiggins
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Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1752**

At 12:10 a.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1752 passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**JOINT RULE 62(a) WAIVED**

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1588 for hearing in the Committee on Natural Resources, today.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 712 (Steinberg)**—An act to add Article 7.5 (commencing with Section 8238) to Chapter 2 of Part 6 of the Education Code, relating to child care and development.

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—61**

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

**NOES—19**

Aghazarian	Cox	Leslie	Pacheco
Benoit	Haynes	Maze	Runner
Bogh	Keene	McCarthy	Strickland
Campbell	La Malfa	Mountjoy	Wyland
Cogdill	La Suer	Nakanishi	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1563**

At 12:18 a.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Frommer moved to continue the call of the Assembly.

Motion carried. Time, 12:19 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1845**

At 12:20 a.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1845 passed by the following vote:

**AYES—57**

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

**NOES—23**

Aghazarian	Cox	La Malfa	Pacheco
Bates	Dutton	La Suer	Plescia
Benoit	Harman	Leslie	Runner
Bogh	Haynes	Maze	Strickland
Campbell	Houston	McCarthy	Wyland
Cogdill	Keene	Nakanishi	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 379**

At 12:20 a.m., on motion of Assembly Member Mullin, 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. 379 by the following vote:

**AYES—50**

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

**NOES—29**

Aghazarian	Dutton	Maddox	Runner
Bates	Harman	Maze	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	
Daucher	Leslie	Ridley-Thomas	

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2277**

At 12:22 a.m., on motion of Assembly Member Plescia, 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. 2277 by the following vote:

**AYES—42**

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

**NOES—37**

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

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 2277: Assembly Member Jerome Horton from "Aye" to "Not Voting".

Above bill ordered enrolled.

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

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2532 (Hancock)**—An act to add Section 6403.5 to the Labor Code, relating to health facilities.

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 Hancock moved a call of the Assembly.

Motion carried. Time, 12:25 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2328**

At 12:25 a.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 2328 by the following vote:

**AYES—66**

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

**NOES—6**

Dymally	Hancock	Leno
Goldberg	Laird	Lieber

Above bill ordered enrolled.

**Communications**

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

**Assembly Bill No. 2328 Statement**

August 30, 2004

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196*

*Sacramento, California*

Dear Mr. Wilson,

Please print the following statement in the Daily Journal.

“The California Chamber of Commerce, American Electronics Association, and virtually every Republican in the Senate and Assembly agree that AB 2328 is a needed tax cut that will help businesses in California to stay solvent and continue providing jobs for their employees. I am proud to have authored this bill.”

Sincerely,

MARK WYLAND, Assembly Member  
Seventy-fourth District

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

**ASSEMBLY BILL NO. 2727 (Daucher)**—An act to amend Section 35186 of the Education Code, relating to schools, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 1629 (Frommer)**—An act to add Section 1418.81 to, and to add and repeal Article 7.6 (commencing with Section 1324.20) of Chapter 2 of Division 2 of, the Health and Safety Code, and to amend Section 14105.06 of, to add and repeal Section 14126.033 of, and to repeal and add Article 3.8 (commencing with Section 14126) of Chapter 7 of Part 3 of Division 9 of, the Welfare and Institutions Code, relating to health and dependent care, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—79**

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

**NOES—1**

Maze

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

**AYES—79**

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

**NOES—1**

Maze

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 12:32 a.m., by unanimous consent, the members of the Committee on Natural Resources were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**ASSEMBLY BILL NO. 2519 (Berg)**—An act to amend Section 3702 of, and to add Sections 7861.5, 8552.1, and 8552.3 to, the Fish and Game Code, relating to fish and game.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 135 (Reyes)**—An act to amend Section 25744 of the Public Resources Code, relating to energy resources, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.

**BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE**

Assembly Member Frommer was granted unanimous consent that Senate Bills Nos. 76 and 1227, be withdrawn from the Committee on Appropriations and placed on the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2532**

At 12:38 a.m., on motion of Assembly Member Hancock, 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. 2532 by the following vote:

**AYES—44**

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

**NOES—35**

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

Above bill ordered enrolled.

**Communications**

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

**Explanation of Vote—Assembly Bill No. 2532**

August 28, 2004

*E. Dotson Wilson*

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

Dear Mr. Wilson: In the early hours of Saturday morning, August 28, 2004, I inadvertently cast an 'aye' vote for Assembly Bill 2532, file item #505. I had intended to cast a 'no' vote. I would appreciate your publishing this letter in the daily journal so that my position on the bill can be reflected.

Thank you for your attention to this matter.

Sincerely,

JOE NATION, Assembly Member  
Sixth District



**At 12:45 a.m., Hon. Lloyd E. Levine, 40th District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 391**

At 12:44 a.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

**At 12:46 a.m., Speaker Fabian Nunez, 46th District, presiding**

Senate Bill No. 391 passed by the following vote:

**AYES—43**

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

**NOES—34**

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

Bill ordered transmitted to the Senate.

At 12:48 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1563**

At 12:49 a.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1563 passed by the following vote:

**AYES—42**

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

**NOES—32**

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

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 76 BY UNANIMOUS CONSENT**

Assembly Member Nunez was granted unanimous consent to take up Senate Bill No. 76 without reference to file, for purpose of consideration.

**SENATE BILL NO. 76 (Denham)**—An act to add Section 48911.3 to the Education Code, relating to school attendance.

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

Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 1227 BY UNANIMOUS CONSENT**

Assembly Member Nunez was granted unanimous consent to take up Senate Bill No. 1227 without reference to file, for purpose of consideration.

**SENATE BILL NO. 1227 (Soto)**—An act to add Sections 19531.1 and 19614.6 to the Business and Professions Code, relating to horse racing.

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

Bill passed by the following vote:

**AYES—70**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 592**

Assembly Member Cogdill was granted unanimous consent to rescind the action whereby the Assembly, on August 26, 2004 (Assembly Journal, page 7856), adopted the urgency clause and passed Senate Bill No. 592, and whereby the bill was ordered transmitted to the Senate.

**CONSIDERATION OF SENATE BILL NO. 592 BY UNANIMOUS CONSENT**

Assembly Member Cogdill was granted unanimous consent to take up Senate Bill No. 592 without reference to file, for purpose of amendment.

**SENATE BILL NO. 592 (Denham)**—An act to add Sections 15202.2 and 15202.3 to the Government Code, relating to local government finance, making an appropriation therefor, 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.

**Further Consideration of Senate Bill No. 592, As Amended, by Unanimous Consent**

Assembly Member Cogdill was granted unanimous consent to take up Senate Bill No. 592 without reference to file, for purpose of consideration.

**SENATE BILL NO. 592 (Denham)**—An act to add Sections 15202.2 and 15202.3 to the Government Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—None**

The question being on the passage of the bill.

The bill passed by the following vote:

**AYES—74**

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

**NOES—None**

Bill ordered transmitted to the Senate immediately.

**BILL WITHDRAWN FROM COMMITTEE AND RETURNED TO THE SENATE**

Without objection, Assembly Bill No. 2366 was withdrawn from the Committee on Transportation and returned to the Senate for further action.

**ADJOURN IN MEMORY**

Assembly Member Ridley-Thomas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Larry McCormick, of Los Angeles.

(Assembly Rule 45.5 suspended.)

**CAUCUS ANNOUNCEMENTS**

At 1:10 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 1:10 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

**RECONVENED**

At 1:53 a.m., the Assembly reconvened.

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

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 1:53 a.m., by unanimous consent, the members of the Committee on Transportation were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

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

**ASSEMBLY BILL NO. 389 (Montanez)**—An act to add Chapter 6.83 (commencing with Section 25395.110) to, and to add and repeal Chapter 6.82 (commencing with Section 25395.60) of, Division 20 of, the Health and Safety Code, relating to hazardous materials.

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

**NOES—None**

Above bill ordered enrolled.

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

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 1588

With the recommendation: That the Senate amendments be concurred in.

JACKSON, Chair

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1588  
WITHOUT REFERENCE TO FILE**

Assembly Member Negrete McLeod was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1588, without reference to file.

**ASSEMBLY BILL NO. 1588 (Negrete McLeod)**—An act to add Chapter 4.5 (commencing with Section 4350) to Part 2 of Division 4 of the Public Resources Code, relating to disaster response.

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	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	

**NOES—None**

Above bill ordered enrolled.

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

**ASSEMBLY BILL NO. 2122 (Committee on Budget)**—An act to amend Sections 69522 and 69529.5 of the Education Code, relating to student financial aid, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Steinberg.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—78**

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

**NOES—None**

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

**AYES—78**

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

**NOES—None**

Above bill ordered enrolled.



**ASSEMBLY BILL NO. 2525 (Committee on Education)**—An act to amend Sections 1240.1, 1240.2, 1625, 7004, 7007, 8201, 8208, 8223, 8257, 8263.1, 8450, 8825, 33540, 41020.5, 41326, 41326.1, 41344, 42120, 42127.6, 42129, 42131, 42133.5, 46200.5, 46201.5, 47632, 47646, 48293, 49110, 51101, 51101.1, 51224.5, 51747, 52515, 52616.18, 56027, 56028, 56140, 56195, 56195.1, 56361, 56364.1, 56836.01, 56836.03, 56836.155, 56836.173, and 68081 of, to amend the heading of Article 14 (commencing with Section 8285) of Chapter 2 of Part 6 of, to amend and renumber Sections 8285.1, 8287, 8288, 8289, 8290, 8290.1, 8290.2, 8300, and 35294.95 of, to add Sections 95, 51240, and 56028.5 to, to repeal Sections 8206.3, 8207, 8242, 8285, 8285.5, and 56364.5 of, and to repeal Article 4 (commencing with Section 48700) of Chapter 4 of Part 27 of, the Education Code, to amend Sections 7579.1 and 53260 of the Government Code, to amend Section 44 of Chapter 227 of the Statutes of 2003, and to amend Item 6110-104-0001 of Section 2.00 of Chapter 208 of the Statutes of 2004, relating to education, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Goldberg.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

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

**AYES—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2251 (Lowenthal)**—An act to amend Sections 25123.3, 25200, 25200.15, 25245, 25250.1, and 25250.13 of the Health and Safety Code, relating to hazardous waste.

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—80**

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
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	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2103 (Negrete McLeod)**—An act to add Section 20035.21 to the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—74**

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

**NOES—4**

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

**AYES—74**

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

**NOES—4**

Campbell	Haynes	Richman	Strickland
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Above bill ordered enrolled.

**ASSEMBLY BILL NO. 780 (Cogdill)**—An act to add and repeal Article 6 (commencing with Section 35800) of Chapter 4 of Part 21 of the Education Code, relating to school 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—79**

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

**NOES—None**

Above bill ordered enrolled.

**ASSEMBLY BILL NO. 2101 (Goldberg)**—An act to amend Sections 123280, 123296, 123310, and 123320 of, and to add Section 123318 to, the Health and Safety Code, relating to maternal and child health.

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

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

**Additional Time For Debate Granted**

Without objection, Assembly Member Goldberg was granted two minutes of additional time for debate.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:23 a.m.

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

**ASSEMBLY BILL NO. 1426 (Steinberg)**—An act to add and repeal Section 50550.3 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

**At 2:27 a.m., Speaker Fabian Nunez, 46th District, presiding**

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 Steinberg moved a call of the Assembly.

Motion carried. Time, 2:28 a.m.

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

#### **DEBATE LIMITED**

Speaker Nunez announced that without objection, debate would be limited to one opponent and one proponent on each bill.

#### **MESSAGES FROM THE SENATE**

Senate Chamber, August 27, 2004

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

Assembly Bill No. 1148

Assembly Bill No. 3092

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, August 28, 2004

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

Assembly Bill No. 1839

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.

#### **CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO 3092 WITHOUT REFERENCE TO FILE**

Assembly Member Jerome Horton was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 3092, without reference to file.

**ASSEMBLY BILL NO. 3092 (Jerome Horton)**—An act to amend Sections 22978.4 and 22980.1 of, and to add Section 22971.4 to, the Business and Professions Code, and to amend Section 308 of the Penal Code, relating to cigarettes, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—63**

Bates	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Salinas
Calderon	Hancock	Maldonado	Samuelian
Campbell	Harman	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Spitzer
Chan	Horton, Shirley	Mullin	Steinberg
Chavez	Houston	Nakanishi	Strickland
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wesson
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Oropeza	Wolk
Daucher	Leno	Parra	Wyland
Diaz	Leslie	Pavley	Yee
Dutra	Levine	Plescía	Mr. Speaker
Firebaugh	Lieber	Reyes	

**NOES—12**

Aghazarian	Cogdill	Haynes	Maze
Benoit	Cox	Keene	McCarthy
Bogh	Dutton	La Malfa	Runner

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

**AYES—63**

Bates	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Salinas
Calderon	Hancock	Maldonado	Samuelian
Campbell	Harman	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Spitzer
Chan	Horton, Shirley	Mullin	Steinberg
Chavez	Houston	Nakanishi	Strickland
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wesson
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Oropeza	Wolk
Daucher	Leno	Parra	Wyland
Diaz	Leslie	Pavley	Yee
Dutra	Levine	Plescía	Mr. Speaker
Firebaugh	Lieber	Reyes	

**NOES—12**

Aghazarian	Cogdill	Haynes	Maze
Benoit	Cox	Keene	McCarthy
Bogh	Dutton	La Malfa	Runner

Above bill ordered enrolled.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1148  
WITHOUT REFERENCE TO FILE**

Assembly Member Wyland was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1148, without reference to file.

**ASSEMBLY BILL NO. 1148 (Wyland)**—An act to amend Section 76 of Chapter 35 of the Statutes of 2002, relating to taxation, and declaring the urgency thereof, to take effect immediately, tax levy.

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

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

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:34 a.m.

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

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1839  
WITHOUT REFERENCE TO FILE**

Assembly Member Montanez was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1839, without reference to file.

**ASSEMBLY BILL NO. 1839 (Montanez)**—An act to amend Section 2982.5 of, and to add Sections 2982.2 and 2982.10 to, the Civil Code, and to amend Section 11713.1 of, and to add Section 11713.16 to, the Vehicle Code, relating to consumers.

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.)*

**Point of Personal Privilege**

Assembly Member Montanez arose to a point of personal privilege.

The question being on concurrence in Senate amendments.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:43 a.m.

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

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

**ASSEMBLY BILL NO. 95 (Dymally)**—An act to amend Section 8738 of the Health and Safety Code, relating to cemeteries, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read.  
The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 2:45 a.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1839**

At 2:46 a.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

Pending the announcement of the vote, Assembly Member Campbell moved to continue the call of the Assembly.

Motion carried. Time, 2:46 a.m.

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



**MOTION TO DISPENSE WITH CALL OF THE ASSEMBLY ON  
ASSEMBLY BILL NO. 1839**

Assembly Member Vargas moved that the Call of the Assembly placed by Assembly Member Campbell on Assembly Bill No. 1839 be dispensed with.

Assembly Member Reyes seconded the motion.

Motion carried by the following vote:

**AYES—48**

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

**NOES—28**

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

**Call of the Assembly Dispensed With  
on Concurrence in Senate Amendments to  
Assembly Bill No. 1839**

At 2:47 a.m., pursuant to the motion by Assembly Member Vargas, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1839 by the following vote:

**AYES—44**

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

**NOES—31**

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

Above bill ordered enrolled.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 2:48 a.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**REPORTS OF STANDING COMMITTEES**

**Committee on Transportation**

Date of Hearing: August 28, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 923

With the recommendation: That Senate amendments be concurred in, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill re-referred to Committee on Appropriations.

Date of Hearing: August 27, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1009

Assembly Bill No. 1394

With the recommendation: That Senate amendments be concurred in.

OROPEZA, Chair

Above bill ordered to unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 864**

At 2:50 a.m., on motion of Assembly Member Firebaugh, 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. 864 by the following vote:

**AYES—41**

Bermudez	Firebaugh	Lowenthal	Ridley-Thomas
Calderon	Frommer	Matthews	Samuelian
Canciamilla	Horton, Jerome	Mountjoy	Vargas
Chan	Horton, Shirley	Mullin	Wesson
Chavez	Houston	Nakanishi	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Reyes	
Dymally	Levine	Richman	

**NOES—25**

Aghazarian	Cox	La Malfa	Runner
Bates	Dutton	Maddox	Spitzer
Benoit	Garcia	Maldonado	Strickland
Bogh	Harman	Maze	Wyland
Campbell	Haynes	McCarthy	
Cogdill	Jackson	Nation	
Correa	Keene	Plescia	

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 864: Assembly Members Oropeza and Pavley from "Aye" to "Not Voting".

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1426**

At 2:52 a.m., on motion of Assembly Member Steinberg, 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. 1426 by the following vote:

**AYES—44**

Berg	Goldberg	Lieber	Reyes
Bermudez	Hancock	Liu	Ridley-Thomas
Calderon	Horton, Jerome	Longville	Salinas
Chan	Houston	Lowenthal	Spitzer
Chavez	Jackson	Matthews	Steinberg
Chu	Kehoe	Montanez	Vargas
Cox	Koretz	Mountjoy	Wesson
Diaz	Laird	Mullin	Wiggins
Dymally	Leno	Nakanishi	Wolk
Firebaugh	Leslie	Parra	Yee
Frommer	Levine	Pavley	Mr. Speaker

**NOES—32**

Aghazarian	Correa	Keene	Negrete McLeod
Bates	Daucher	La Malfa	Pacheco
Benoit	Dutra	La Suer	Plescia
Bogh	Dutton	Maddox	Richman
Campbell	Garcia	Maldonado	Runner
Canciamilla	Harman	Maze	Samuelian
Cogdill	Haynes	McCarthy	Strickland
Corbett	Horton, Shirley	Nakano	Wyland

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1426: Assembly Member Corbett from "Aye" to "No"; Assembly Member Houston from "No" to "Aye".

Above bill ordered enrolled.

**ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR**

Assembly Member Strickland was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting his wife, Audra Strickland, to sit at his desk in the Assembly Chamber.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1394  
WITHOUT REFERENCE TO FILE**

Assembly Member Levine was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1394, without reference to file.

**ASSEMBLY BILL NO. 1394 (Levine)**—An act to add Article 13 (commencing with Section 44297) to Chapter 9 of Part 5 of Division 26 of, the Health and Safety Code, relating to air pollution.

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—71**

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

**NOES—1**

Campbell

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 217**

At 3:02 a.m., on motion of Assembly Member Wolk, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 217 refused passage by the following vote:

**AYES—33**

Berg	Jackson	Lowenthal	Steinberg
Calderon	Kehoe	Montanez	Wesson
Canciamilla	Koretz	Mullin	Wiggins
Chan	Laird	Nation	Wolk
Chu	Leno	Oropeza	Yee
Dymally	Levine	Pavley	Mr. Speaker
Frommer	Lieber	Reyes	
Goldberg	Liu	Ridley-Thomas	
Hancock	Longville	Simitian	

**NOES—36**

Aghazarian	Dutra	La Suer	Pacheco
Bates	Dutton	Leslie	Parra
Benoit	Garcia	Maddox	Plescia
Bogh	Harman	Maldonado	Richman
Campbell	Haynes	Matthews	Runner
Cogdill	Horton, Shirley	Maze	Samuelian
Correa	Houston	McCarthy	Spitzer
Cox	Keene	Nakanishi	Strickland
Daucher	La Malfa	Negrete McLeod	Wyland

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
ASSEMBLY JOINT RESOLUTION NO. 56**

At 3:02 a.m., on motion of Assembly Member Frommer, 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 Joint Resolution No. 56 by the following vote:

**AYES—50**

Bates	Dymally	Lieber	Richman
Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Longville	Salinas
Calderon	Garcia	Lowenthal	Simitian
Canciamilla	Goldberg	Maldonado	Steinberg
Chan	Hancock	Matthews	Vargas
Chavez	Horton, Jerome	Montanez	Wesson
Chu	Horton, Shirley	Mullin	Wiggins
Cohn	Jackson	Nakano	Wolk
Corbett	Koretz	Nation	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

**NOES—23**

Aghazarian	Harman	Leslie	Plescia
Benoit	Haynes	Maddox	Runner
Bogh	Houston	Maze	Samuelian
Campbell	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

Above resolution ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
CONFERENCE COMMITTEE REPORT ON  
ASSEMBLY BILL NO. 1980**

At 3:03 a.m., on motion of Assembly Member Wolk, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Conference Committee Report on Assembly Bill No. 1980 refused adoption by the following vote:

**AYES—50**

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

**NOES—29**

Aghazarian	Dutton	Longville	Runner
Bates	Harman	Maddox	Samuelian
Benoit	Haynes	Maze	Spitzer
Bogh	Houston	McCarthy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	
Daucher	Leslie	Richman	

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 779**

At 3:04 a.m., on motion of Assembly Member Montanez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

**Call of the Assembly Continued**

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

Motion carried. Time, 3:05 a.m.

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

**REPORTS OF STANDING COMMITTEES**

**Committee on Appropriations**

Date of Hearing: August 28, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 923

With the recommendation: That Senate amendments be concurred in.

CHU, Chair

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 923  
WITHOUT REFERENCE TO FILE**

Assembly Member Firebaugh was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 923, without reference to file.

**ASSEMBLY BILL NO. 923 (Firebaugh)**—An act to amend, repeal, and add Sections 41081, 44225, 44229, 44275, 44280, 44281, 44282, 44283, 44287, and 44299.1 of, and to add and repeal Section 44299.2 of, the Health and Safety Code, to amend, add, and repeal Sections 42885 and 42889 of the Public Resources Code, and to amend, repeal, and add Section 9250.2 of the Vehicle Code, relating to air pollution.

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—52**

Berg	Firebaugh	Levine	Reyes
Bermudez	Frommer	Lieber	Richman
Calderon	Garcia	Liu	Ridley-Thomas
Canciamilla	Goldberg	Longville	Salinas
Chan	Hancock	Maldonado	Samuelian
Chavez	Harman	Maze	Simitian
Chu	Horton, Shirley	Montanez	Steinberg
Cohn	Houston	Mullin	Vargas
Corbett	Jackson	Nakano	Wesson
Daucher	Kehoe	Nation	Wiggins
Diaz	Koretz	Oropeza	Wolk
Dutra	Laird	Parra	Yee
Dymally	Leno	Pavley	Mr. Speaker

**NOES—21**

Aghazarian	Dutton	Mountjoy	Spitzer
Bates	Haynes	Nakanishi	Strickland
Bogh	Keene	Negrete McLeod	Wyland
Campbell	Maddox	Pacheco	
Correa	Matthews	Plescia	
Cox	McCarthy	Runner	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 923: Assembly Member Cogdill from "Aye" to "Not Voting".

Above bill ordered enrolled.



**CALL OF THE ASSEMBLY DISPENSED WITH  
ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 95**

At 3:09 a.m., on motion of Assembly Member Dymally, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 95 adopted by the following vote:

**AYES—57**

Benoit	Firebaugh	Longville	Ridley-Thomas
Berg	Frommer	Lowenthal	Salinas
Bermudez	Goldberg	Maddox	Simitian
Calderon	Hancock	Matthews	Steinberg
Chan	Haynes	Maze	Strickland
Chavez	Horton, Jerome	Montanez	Vargas
Chu	Horton, Shirley	Mullin	Wesson
Cogdill	Jackson	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	Laird	Oropeza	Yee
Cox	Leno	Parra	Mr. Speaker
Diaz	Levine	Pavley	
Dutra	Lieber	Plescia	
Dymally	Liu	Reyes	

**NOES—20**

Aghazarian	Dutton	La Malfa	Nakanishi
Bates	Garcia	La Suer	Pacheco
Bogh	Harman	Maldonado	Richman
Campbell	Houston	McCarthy	Runner
Daucher	Keene	Mountjoy	Spitzer

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

**AYES—57**

Benoit	Firebaugh	Longville	Ridley-Thomas
Berg	Frommer	Lowenthal	Salinas
Bermudez	Goldberg	Maddox	Simitian
Calderon	Hancock	Matthews	Steinberg
Chan	Haynes	Maze	Strickland
Chavez	Horton, Jerome	Montanez	Vargas
Chu	Horton, Shirley	Mullin	Wesson
Cogdill	Jackson	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	Laird	Oropeza	Yee
Cox	Leno	Parra	Mr. Speaker
Diaz	Levine	Pavley	
Dutra	Lieber	Plescia	
Dymally	Liu	Reyes	

**NOES—20**

Aghazarian	Dutton	La Malfa	Nakanishi
Bates	Garcia	La Suer	Pacheco
Bogh	Harman	Maldonado	Richman
Campbell	Houston	McCarthy	Runner
Daucher	Keene	Mountjoy	Spitzer

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 779**

At 3:09 a.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 779 refused passage by the following vote:

**AYES—39**

Berg	Hancock	Longville	Ridley-Thomas
Canciamilla	Horton, Shirley	Lowenthal	Simitian
Chan	Jackson	Maldonado	Steinberg
Chu	Kehoe	Montanez	Vargas
Cohn	Koretz	Mullin	Wesson
Diaz	Laird	Nakano	Wiggins
Dymally	Leno	Oropeza	Wolk
Firebaugh	Levine	Parra	Yee
Frommer	Lieber	Pavley	Mr. Speaker
Goldberg	Liu	Reyes	

**NOES—33**

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutra	Leslie	Plescia
Benoit	Dutton	Maddox	Runner
Bogh	Garcia	Matthews	Spitzer
Calderon	Harman	Maze	Strickland
Campbell	Haynes	McCarthy	Wyland
Cogdill	Houston	Mountjoy	
Correa	Keene	Nakanishi	
Cox	La Malfa	Nation	

**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 779: Assembly Member Bermudez from “Aye” to “Not Voting”.

**CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1009  
WITHOUT REFERENCE TO FILE**

Assembly Member Pavley was granted unanimous consent to take up consideration of Senate amendments to Assembly Bill No. 1009, without reference to file.

**ASSEMBLY BILL NO. 1009 (Pavley)**—An act to amend Section 43701 of the Health and Safety Code, relating to air pollution, and declaring the urgency thereof, to take effect immediately.

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

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

**Urgency Clause**

Urgency clause read.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 3:11 a.m.

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

**At 3:13 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding**

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1297**

At 3:13 a.m., on motion of Assembly Member Frommer, 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. 1297 by the following vote:

**AYES—46**

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

**NOES—32**

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

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON  
SENATE BILL NO. 1397**

At 3:13 a.m., on motion of Assembly Member Montanez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1397 refused passage by the following vote:

**AYES—29**

Berg	Goldberg	Lowenthal	Simitian
Bermudez	Hancock	Montanez	Steinberg
Chan	Jackson	Mullin	Wesson
Chavez	Koretz	Nation	Wiggins
Chu	Laird	Negrete McLeod	Mr. Speaker
Dymally	Leno	Pavley	
Firebaugh	Lieber	Reyes	
Frommer	Longville	Ridley-Thomas	

**NOES—38**

Aghazarian	Dutra	Liu	Plescia
Bates	Dutton	Maddox	Runner
Benoit	Garcia	Maldonado	Samuelian
Bogh	Harman	Matthews	Spitzer
Campbell	Horton, Shirley	Maze	Strickland
Canciamilla	Houston	McCarthy	Wolk
Cogdill	Keene	Mountjoy	Wyland
Correa	La Malfa	Nakanishi	Yee
Cox	La Suer	Pacheco	
Daucher	Leslie	Parra	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 262**

At 3:14 a.m., on motion of Assembly Member Chan, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 262 by the following vote:

**AYES—37**

Berg	Firebaugh	Lieber	Reyes
Bermudez	Frommer	Liu	Ridley-Thomas
Chan	Goldberg	Longville	Simitian
Chavez	Hancock	Lowenthal	Steinberg
Chu	Jackson	Montanez	Wesson
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	
Dutra	Leno	Parra	
Dymally	Levine	Pavley	

**NOES—34**

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maldonado	Samuelian
Benoit	Harman	Matthews	Spitzer
Bogh	Haynes	Maze	Strickland
Campbell	Horton, Shirley	McCarthy	Wolk
Cogdill	Houston	Mountjoy	Wyland
Correa	Keene	Nation	Yee
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2101**

At 3:15 a.m., on motion of Assembly Member Goldberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly refused to concur in Senate amendments to Assembly Bill No. 2101 by the following vote:

**AYES—36**

Berg	Hancock	Longville	Richman
Chan	Horton, Shirley	Lowenthal	Ridley-Thomas
Chu	Jackson	Matthews	Simitian
Cohn	Kehoe	Mullin	Steinberg
Corbett	Koretz	Nakano	Vargas
Daucher	Laird	Nation	Wesson
Dutra	Leno	Negrete McLeod	Wiggins
Dymally	Levine	Oropeza	Wolk
Goldberg	Liu	Pavley	Mr. Speaker

**NOES—31**

Aghazarian	Dutton	Maddox	Plescia
Benoit	Frommer	Maldonado	Reyes
Bogh	Garcia	Maze	Runner
Campbell	Harman	McCarthy	Spitzer
Chavez	Haynes	Mountjoy	Strickland
Cogdill	Houston	Nakanishi	Wyland
Correa	Keene	Pacheco	Yee
Cox	Leslie	Parra	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1148**

At 3:16 a.m., on motion of Assembly Member Wyland, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1148 adopted by the following vote:

**AYES—54**

Aghazarian	Firebaugh	Maldonado	Ridley-Thomas
Bates	Frommer	Matthews	Runner
Benoit	Garcia	Maze	Salinas
Bermudez	Harman	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Spitzer
Calderon	Horton, Shirley	Nakanishi	Strickland
Campbell	Houston	Nakano	Wesson
Canciamilla	Keene	Nation	Wiggins
Chavez	Kehoe	Pacheco	Wolk
Cogdill	La Malfa	Parra	Wyland
Correa	La Suer	Pavley	Yee
Cox	Leslie	Plescia	Mr. Speaker
Daucher	Levine	Reyes	
Dutton	Maddox	Richman	

**NOES—11**

Chan	Hancock	Laird	Longville
Chu	Jackson	Leno	Lowenthal
Goldberg	Koretz	Lieber	

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

**AYES—54**

Aghazarian	Firebaugh	Maldonado	Ridley-Thomas
Bates	Frommer	Matthews	Runner
Benoit	Garcia	Maze	Salinas
Bermudez	Harman	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Spitzer
Calderon	Horton, Shirley	Nakanishi	Strickland
Campbell	Houston	Nakano	Wesson
Canciamilla	Keene	Nation	Wiggins
Chavez	Kehoe	Pacheco	Wolk
Cogdill	La Malfa	Parra	Wyland
Correa	La Suer	Pavley	Yee
Cox	Leslie	Plescia	Mr. Speaker
Daucher	Levine	Reyes	
Dutton	Maddox	Richman	

**NOES—11**

Chan	Hancock	Laird	Longville
Chu	Jackson	Leno	Lowenthal
Goldberg	Koretz	Lieber	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 1009**

At 3:16 a.m., on motion of Assembly Member Pavley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1009 adopted by the following vote:

**AYES—56**

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

**NOES—23**

Aghazarian	Dutton	La Suer	Runner
Bogh	Garcia	Maddox	Samuelian
Campbell	Harman	Maze	Spitzer
Cogdill	Haynes	Nakanishi	Strickland
Correa	Keene	Pacheco	Wyland
Cox	La Malfa	Plescia	

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

**AYES—56**

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

**NOES—23**

Aghazarian	Dutton	La Suer	Runner
Bogh	Garcia	Maddox	Samuelian
Campbell	Harman	Maze	Spitzer
Cogdill	Haynes	Nakanishi	Strickland
Correa	Keene	Pacheco	Wyland
Cox	La Malfa	Plescia	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 2121**

At 3:17 a.m., on motion of Assembly Member Steinberg, 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. 2121 by the following vote:

**AYES—41**

Berg	Firebaugh	Liu	Salinas
Bermudez	Frommer	Longville	Simitian
Calderon	Goldberg	Lowenthal	Steinberg
Chan	Hancock	Montanez	Vargas
Chavez	Jackson	Mullin	Wesson
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Yee
Corbett	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pavley	
Dutra	Levine	Reyes	
Dymally	Lieber	Ridley-Thomas	

**NOES—38**

Aghazarian	Dutton	Maddox	Plescia
Bates	Garcia	Maldonado	Richman
Benoit	Harman	Matthews	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Canciamilla	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Pacheco	
Daucher	Leslie	Parra	

Above bill ordered enrolled.

**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 Adolph “Lefty” Meisen, of Oceanside.

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 William Siri, of Berkeley.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Reverend Don North, of Oroville.

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 Captain David Haskin, of South San Francisco.

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mel Eve, of Torrance.

**REQUEST TO PRINT IN JOURNAL**

On behalf of the authors, Assembly Member Frommer moved that statements of legislative intent relative to Assembly Bills Nos. 3018, 1723, 1721, 2136, 2132, 2055, 2747, 1297, 2151, 2286, 1010, 1426, 1075, 2066, 2100, and 2122; and Senate Bills Nos. 1544 and 1100, be printed in the Journal.

Assembly Member Cogdill withheld unanimous consent on the request to print statements relative to Senate Bills Nos. 1544 and 1100; and Assembly Bills Nos. 1723, 2122, 1721, and 1426.

**At 3:20 a.m., Speaker Fabian Nunez, 46th District, presiding**

**Motion to Print in Journal**

Assembly Member Frommer moved that statements of legislative intent relative to Senate Bills Nos. 1544 and 1100; and Assembly Bills Nos. 1723, 1721, 2122, and 1426, be printed in the Journal.

Assembly Member Nakano seconded the motion.

Motion to print in Journal carried by the following vote:

**AYES—45**

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

**NOES—25**

Aghazarian	Garcia	Maze	Samuelian
Bates	Harman	McCarthy	Spitzer
Campbell	Haynes	Nakanishi	Strickland
Cogdill	Horton, Shirley	Pacheco	Wyland
Cox	Houston	Plescia	
Daucher	Keene	Richman	
Dutton	Maldonado	Runner	



**Legislative Intent—Senate Bill No. 1544**

August 25, 2004

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

Dear Mr. Wilson: I would like to clarify my vote on SB 1544 (Figueroa). I voted “Aye” on the bill because I support the provisions of the bill extending the sunset of the Private Postsecondary and Vocational Education Reform Act of 1989 and the appointment of a monitor of the Bureau of Private Postsecondary and Vocational Education.

However, I do not support the August 17th amendments, which exempt programs costing \$500 or less from the Act, strike “short-term seminar training”, and establish a new category called the short-term education program.

I have been informed by the author that there were drafting errors in the bill and it was not her intent to completely exempt smaller programs from the oversight of the Act. She has committed to introducing legislation next year to correct the error.

Sincerely,

JACKIE GOLDBERG, Assembly Member  
Forty-fifth District

**Legislative Intent—Assembly Bill No. 1723**

August 27, 2004

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

Dear Mr. Wilson: A question has arisen during the course of this legislation concerning an employer’s obligation under Labor Code Section 213.5, newly enacted by AB 1723.

It is the intention of the author and the sponsor that the language of the bill that provides that an agricultural employer must comply with an employee’s request by “implementing” direct deposit within 30 days means that the employer must provide all relevant information to the necessary financial institution(s) within that time period in order for direct deposit to be initiated.

The author and the sponsor acknowledge that the given financial institution(s) may take additional time to initiate the payment by direct deposit, but it is merely the intent of this legislation that the employer be required to provide the relevant information to the financial institution within the 30-day period.

Sincerely,

PAUL KORETZ, Chair  
Assembly Committee on Labor and Employment

**Legislative Intent—Assembly Bill No. 1721**

August 24, 2004

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

Dear Dotson: I have introduced Assembly Bill 1721 to prohibit retailers from charging a price higher than the lowest price that is posted on an item itself or a shelf tag that corresponds to the item. The lowest price would apply regardless of any posted time limitation for the sale price.

AB 1721 amends Section 12024.2 of the Business & Professions Code that was enacted prior to the now common use of computer scanners at check-out stands. This legislation enacts into law a requirement for retailers to charge the lowest price for the product that is displayed and not the higher original or regular price for the item. This requirement is consistent with the stated policy of most retailers in California and helps to prevent retailers who do not comply with this requirement from obtaining a competitive advantage over retailers who are in compliance.

Consumers reasonably expect that the price label and the shelf tag indicating the price of an item accurately reflect the price then charged for the item. Consumers may be easily confused by price labels or shelf price tags that do not state current prices such as a shelf price tag displaying a special “sale” price that is left on the shelf after the sale expiration date. Because of the volume of items in stores, the very large number of price labels and shelf price tags, the very limited size of shelf price tags and price labels that practically restrict the inclusion of meaningful information beyond the stated price itself, the confusing nature of expired or premature sale price tags on currently offered items, and the posting of the sale price tags at many different heights and locations, it is very difficult for consumers to notice or remember any time limitation placed on a posted price. Therefore, a disclosure provision requiring a certain size, typeface, or location specifying the limited duration of the sale would not effectively provide consumers with accurate sales price information or prevent posted expired or future “sale” price tags from being confusing.

Moreover, the posting of individual effective dates for each sale item does not adequately apprise consumers of the then applicable price for the item and only compounds consumers’ confusion as to whether the posted price on the shelf or item is the currently effective price.

AB 1721 has been amended to address marketing concerns raised by some retailers so that the limitations on the expiration dates for sale items is narrowly drawn to address the problems that have been noted in the marketplace.

Finally, AB 1721 and the advertising prohibition contained therein are prospective in nature and are not intended in any way to affect advertising practices that occurred prior to the bill’s effective date.

Sincerely,

PAUL KORETZ, Assembly Member  
Forty-second District

**Legislative Intent—Assembly Bill No. 1426**

August 27, 2004

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

Dear Dotson: As author of AB 1426, it is my interpretation that nothing in the bill eliminates the duty of local communities to comply with density bonus laws and other voluntary negotiated concessions set forth in the Costa Hawkins Act.

Sincerely,

DARRELL STEINBERG, Assembly Member  
Ninth District

**Legislative Intent—Assembly Bill No. 2122**

August 26, 2004

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

*The Honorable Darrell Steinberg  
California State Assembly  
State Capitol, Room 6026  
Sacramento, California*

Dear Speaker Nunez and Assembly Member Steinberg: This letter follows a meeting held this afternoon between representatives of the California Student Aid Commission, EDFUND Board of Directors, and the major financial institutions that provide services in the student loan arena. During the course of this meeting we came to an agreement that recognizes the need for broad consultation with participating schools and lenders. As part of this agreement, the parties have agreed to use AB 2122 (Steinberg) to clarify existing statute concerning the Commission’s efforts to diversify its student loan activities beyond the Federal Family Education Loan (FFEL) Program. All parties have agreed that AB 2122 will be amended to include the provisions that were formerly in AB 598 (as amended on August 17, 2004).

This agreement also includes a commitment by the Commission to provide, on a monthly basis between now and the beginning of the 2005–06 Legislative session, a status report regarding these activities to the Legislative leadership and the Schwarzenegger administration.

The Commission has also stipulated to the lending community that amendments to the Commission’s existing Operating Agreement relating to its proposed business diversification efforts will not be submitted until after January 3, 2005.

The Commission looks forward to working with each of you and members of the Legislature in successfully implementing a business diversification plan which will enable the Commission to continue to provide excellent student financial aid activities and benefits.

Please feel free to contact me at 916.526.8271 should you have any questions.

Sincerely,

DIANA FUENTES-MICHEL  
Executive Director  
California Student Aid Commission

**Legislative Intent—Senate Bill No. 1100**

Friday, August 27, 2004

*E. Dotson Wilson, Chief Clerk  
Office of the Chief Clerk  
State Capitol, 3rd Floor  
Sacramento, California*

Dear Mr. Wilson: SB 1100, signed into law on August 16, 2004, made statutory changes relating to the rebuttable presumptions which govern use tax levied on vehicles, vessels, and aircraft. In my potential capacity as a member serving the California State Assembly during the 2005–06 Regular Session, I am committed to facilitating limited exemption from use tax for recreational vehicles purchased outside California and brought into the state solely for purpose of repair.

Sincerely,

LLOYD LEVINE, Assembly Member  
Fortieth District

**Statements of Legislative Intent Printed in Journal  
by Unanimous Consent**

The following statements were printed in the Journal without objection:

**Legislative Intent—Assembly Bill No. 3018**

August 26, 2004

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

Dear Mr. Wilson: A question has arisen during the course of this legislation as to how Labor Code section 512.7, newly enacted by AB 3018, would operate in conjunction with Labor Code section 512.5.

Labor Code section 512.5 allows the Industrial Welfare Commission (IWC) to create an exemption for meal period and rest break provisions for commercial drivers who are public employees. In accordance with Labor Code section 512.5, the Industrial Welfare Commission amended Wage Order 9 in 2003 and adopted regulations governing meal and rest break provisions for commercial drivers employed by governmental entities. Included in those regulations is an exemption for public transit drivers covered by collective bargaining agreements if certain protective conditions are met.

The provisions of AB 3018 that address commercial drivers are intended to and should be interpreted to be broadly applicable to all commercial drivers employed in the transportation industry, whether employed in the private or public sector. However, Labor Code section 512.5 grants the IWC the specific authority to establish special rules for commercial drivers in the public sector. It has exercised that authority and there is nothing in AB 3018 which should, in any way, affect existing provisions of Wage Order 9 governing meal periods and rest breaks for commercial drivers employed by governmental entities or the right of the IWC to take any future action pursuant to the provisions of Labor Code section 512.5 to fashion full or partial exemptions from meal period or rest break requirements.

AB 3018 deals with two very narrow situations; that is, when an on-duty meal period is permitted and when an off-duty meal period may

commence in situations where employees are covered by a collective bargaining agreement. In contrast, Labor Code section 512.5 grants the IWC the broad discretion to create exemptions pursuant to a collective bargaining agreement from both meal period and rest break provisions for a certain class of commercial drivers. If the IWC has taken action to exempt a public sector driver from meal period requirements pursuant to Labor Code section 512.5, then it is quite obvious that provisions of Labor Code section 512.7, which regulate the situations under which those meal periods are taken, would be inapplicable on its face.

Sincerely,

PAUL KORETZ, Chair  
Labor and Employment

**Legislative Intent—Assembly Bill No. 2136**

August 24, 2004

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

Dear Mr. Wilson: I am requesting that this letter be placed in the Daily Journal in order to reflect legislative intent for my measure AB 2136 relating to the rules and guidelines for the documentation of treatment costs for indigent patients by Narcotic Treatment Programs. It was not my intent or that of the other stakeholders to restrict the ability or authority of the Department to assess a program audit disallowances if the provider does not comply with the law. It is the intent of the legislation to clarify what those guidelines and rules are so that providers improve their compliance with the law.

The bill reflects several months of negotiations that produced a consensus solution by the Department of Alcohol and Drug Programs (DADP) and provider organizations to clarify the procedures related to the charges, documentation and audit requirements for indigent non-Medi-Cal eligible patients treated by Narcotic Treatment Providers (NTP's). This issue has burdened providers due to ambiguous procedures and inconsistent audit disallowances. Providers requested DADP clarification in 1997 because audit disallowances for indigent patients jeopardize their services for full pay and DMC patients.

The codified statutory intent language reflects the state's commitment to providing drug treatment to indigent patients. Equally important is the reference to the exception under federal law to the "usual and customary charge determination" rule for DMC reimbursement as long as the provider establishes a sliding scale for indigency fees. This shows that the provider is assessing each patient for their ability to pay based on their individual income and expenses.

NTP's usually have additional capacity to serve indigent patients who either do not have sufficient income, health care insurance or MediCal benefits to cover their drug treatment costs. If these patients can pay part of their treatment costs, most providers do serve some portion of this population. This benefits the patients, their families and their communities. Thank you.

Sincerely,

JACKIE GOLDBERG, Assembly Member  
Forty-fifth District

**Legislative Intent—Assembly Bill No. 2132**

August 25, 2004

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

RE: AB 2132 (Reyes), Asthma Medication: Pupil Self-Administration

Dear Mr. Speaker: I write to express the intent behind the August 19 amendments to Assembly Bill (AB) 2132. AB 2132 sets forth the process for permitting a student to self-administer inhaled asthma medication at school.

As amended, the bill states that in order for a pupil to carry and self-administer prescription inhaled asthma medication, the school district shall obtain a specified written information statement from the physician and a written statement from the parent, foster parent or guardian consenting to the self-administration and providing a release for the school to consult with the health care provider and releasing the school district and school personnel from civil liability if the pupil suffers an adverse reaction by taking the medicine (Proposed Education Code Section 49423.1(b)(2) on page 3).

The liability release only applies to adverse reactions occurring as a result of the self-administering pupil under paragraph (2). This bill is double-joined to SB 1912, which clarifies the language and, as amended August 24, 2004, states that the release of the school district and school personnel applies if the self-administering pupil "suffers an adverse reaction as a result of self-administering medication pursuant to this paragraph." I would like to see Section 49423.1(b)(2) amended to be consistent with the language of SB 1912, but because of legislative deadlines, this must occur next year.

Sincerely,

SARAH L. REYES, Assembly Member  
Thirty-first District

**Legislative Intent—Assembly Bill No. 2055**

August 24, 2004

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

Re: Legislative intent—AB 2055

Dear Mr. Speaker: I have been asked to reiterate my intent with respect to several provisions in AB 2055 dealing with agriculture and open space.

1. Cities and counties retain their current broad discretion under Section 65564 to address their obligation to prepare an action program they believe to be locally appropriate. While I would encourage both to review the program options under Section 65565, I recognize that many built-out urban cities have little or no agricultural and open space land, and few opportunities to find more, and that circumstances between and within counties with respect to agricultural and open space resources, uses, opportunities, and priorities vary greatly. Cities and counties also retain their current discretion to express their agricultural and open space programs and policies in separate optional elements, such as an agricultural element, or include them in other required elements, such as the conservation or land use elements.
2. I included the optional provisions for urban and transitional areas in Section 65565(c) to recognize that maintaining agricultural and open space uses and opportunities in urban and transitional areas may require difference strategies than those appropriate for other areas. For example, agriculture in urban areas is often dependent upon the willingness of public and private landowners to make land available to agricultural tenants, and the provision of incentives and avoidance of disincentives may be the most effective policy.
3. In providing in Section 65565 for separate inventories and policies with respect to farmland and open space, I recognize that these categories may often overlap on many parcels of land and may change over time. AB 2055 is not intended to interfere with the current discretion of landowners and local governments to determine the relative importance, in the local context, of various types of agricultural and open space uses, nor is it intended to interfere with the ability of the landowner to select an open space use to the exclusion of an agricultural use, or vice versa, when conjunctive use is impractical. For example, grazing land which also supports habitat might be converted to irrigated crop land, or alternatively, dedicated exclusively to habitat, with landowner consent, to implement a local NCCP plan.
4. Cities and counties are intended to retain their current discretion to balance and harmonize policies in their agricultural and open space elements with policies in their other general plan elements. For example, interim agricultural and open space policies may be appropriate in

areas that may ultimately be required to meet housing needs, while other areas may be appropriate for long-term agricultural and open space commitments and strategies, including protection against development impacts.

Respectfully submitted,

LOIS WOLK, Assembly Member  
Eighth District

**Legislative Intent—Assembly Bill No. 2747**

August 25, 2004

*E. Dotson Wilson*

*Chief Clerk*

*State Capitol, Room 3196  
Sacramento, California*

Dear Mr. Wilson: Assembly Bill 2747 requires the State Department of Finance to recommend to the Legislature a means to expedite the payments to county social services realignment accounts by January 10, 2005.

My intent is to have the Department of Finance report to the Legislature by January 10, 2005 only on the scope of the task that it will undertake, not to have a set of recommendations. That would not be necessary until January 10, 2006. It is clearly unreasonable to expect the Department to have recommendations a mere 10 days after the measure becomes law. For the state's benefit, the Department can use actual caseload data from both 2004 and 2005.

Respectfully,

BONNIE GARCIA, Assembly Member  
Eightieth District

**Legislative Intent—Assembly Bill No. 1297**

August 27, 2004

*E. Dotson Wilson*

*Chief Clerk of the Assembly*

*State Capitol  
Sacramento, California*

Dear Mr. Wilson: Assembly Bill 1297 (Frommer) was approved by the Assembly today and now proceeds to enrollment. I want to reiterate that the purpose of this bill, as reported by the Assembly Committee on Revenue & Taxation in its August 26, 2004 analysis, is to make specific that it is against the public policy of the State for an insurance policy to provide insurance coverage for, or a duty to defend against claims for, losses, taxes, penalties, interest, fines or reimbursement attributable to an abusive tax avoidance transaction.

The operative provisions of proposed Section 254 of the Insurance Code (as embodied in Section 1 of the Bill) nullify and eliminate the economic benefits of insurance intended specifically to cover the loss of tax benefits arising from abusive tax avoidance transactions and listed transactions, as defined. Section 2 of the Bill (which adds Section 19188 to the Revenue & Taxation Code) specifies that the taxing provisions of



the Bill only apply to insurance proceeds received from a policy which provides coverage for risks specified in proposed Section 254 of the Insurance Code.

Neither Section of this Bill applies, or should be construed to apply, to general professional liability or errors & omissions policies of insurance, or to the proceeds of any such policies.

Sincerely,

DARIO FROMMER  
Assembly Majority Leader  
Forty-third Assembly District

**Legislative Intent—Assembly Bill No. 2151**

August 27, 2004

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

Dear Mr. Speaker: I respectfully request this letter be entered into the Assembly Journal to clarify the legislative intent of AB 2151.

The federal government has created the 340B discount drug program to provide lower cost drugs to specified health programs, including Title X family planning programs. The federal law requires that these “covered entities” must receive a dispensing fee for providing this service to their patients. AB 2151 codifies the federal dispensing fee requirement without altering the current Medi-Cal or Family PACT reimbursement provided to community claims.

Due to a drafting error by Legislative Counsel, AB 2151 inadvertently references Welfare and Institutions Code §141532.100(k) with regard to the exemption from the provisions of the bill for federally qualified health centers (FQHCs) and rural health clinics (RHCs). This code section does not exist. The correct reference should be Welfare and Institutions Code Section 14132.100(k), which allows FQHCs and RHCs to elect to be reimbursed for pharmacy costs based on the prospective payment rate. FQHCs and RHCs that make such an election are intended to be exempt from the provisions of AB 2151.

This letter is intended to provide direction to the Department of Health Services so that when it updates its regulations to reflect the changes in AB 2151, the changes reflect the legislative intent expressed herein.

Sincerely,

HANNAH-BETH JACKSON, Assembly Member  
Thirty-fifth District

**Legislative Intent—Assembly Bill No. 2286**

August 27, 2004

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

Dear Dotson: A question concerning provisions of my bill, AB 2286, relative to Section 44468 of the Education Code, has arisen which needs clarification. This code section deals with an expedited internship route for teaching credential candidates who can demonstrate their

knowledge, skills and abilities through written and performance assessments. These individuals would be required to meet all statutory requirements for a teaching credential, but would be able to earn their credential more quickly through this route. Currently, Education Code Section 44468 pertains to multiple subject and single subject teaching credentials. AB 2286 would add special education credentials for students with mild to moderate disabilities.

I would like to clarify that the Commission on Teacher Credentialing would be required to adopt a test covering teaching competence in special education for teachers of students with mild to moderate disabilities. Special education stakeholders would be involved in the review of the exam used for these purposes. Additionally, the teaching performance assessment to take place during the internship would be based on the current teacher preparation program fieldwork assessment standards for the Education Specialist Credential in Special Education: Mild/Moderate Disabilities.

I submit this letter as my clarification of the intent of AB 2286 and that of the Legislature in enacting this measure.

Sincerely,

DENNIS MOUNTJOY, Assembly Member  
Fifty-ninth District

**Legislative Intent—Assembly Bill No. 1010**

August 27, 2004

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

Dear Mr. Speaker: A request was made in the August 27, 2004 Assembly Education Committee hearing to clarify a provision of my bill, AB 1010, relative to Section 60063 of the Education Code relating to instructional materials. This section requires publishers to make instructional materials available in an electronic multimedia format for purchase by districts consisting of grades K–12, effective 2007.

I submit this letter as clarification of AB 1010's intent—and that of the Legislature in enacting this measure, which is as follows:

If a school or school district decides to utilize instructional materials in an electronic multimedia format for their students, that school or school district shall provide the student or the student's parent with the option of utilizing a hardcopy textbook version of the instructional material or the electronic multimedia format version.

If a school or school district decides to utilize instructional materials in an electronic multimedia format for their students, that school or school district shall certify with the student's parent or guardian that equipment is available in working order for use by the student, either at the school site or at the student's home, so the student can reasonably access the electronic multimedia format instructional materials. The

school or school district shall also certify with the student's parent or guardian that the student will have access to the equipment for reasonable amounts of time throughout the day for homework purposes.

I respectfully request that this letter be entered in the Assembly Journal.

Sincerely,

FRAN PAVLEY, Assembly Member  
Forty-first District

**Legislative Intent—Assembly Bill No. 1075**

August 27, 2004

*The Honorable E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson,

I respectfully request this letter be entered into the Assembly Journal to clarify the intent of AB 1075.

AB 1075 provides that funds appropriated by the Budget Act of 2004 shall be available for reimbursement of 100 percent of costs incurred by the County of Stanislaus for the homicide prosecution of Scott Peterson.

In January 2004, the judge in the Peterson trial ordered the case moved from Stanislaus County to San Mateo County. Penal Code Section 1037 states that when the court orders a change of venue to a court in another county all costs incurred by that court or county (San Mateo) shall be a charge against the county in which the action originated (Stanislaus).

It is the intent of the Legislature that funds provided to Stanislaus County be used to provide reimbursement to San Mateo County for its costs associated with the trial in a timely manner.

Sincerely,

GENE MULLIN, Assembly Member  
Nineteenth District

**Legislative Intent—Assembly Bill No. 2066**

August 27, 2004

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

Dear Speaker Nunez: I am writing to clarify a provision of Assembly Bill 2066 and request that this letter be printed in the Assembly Journal.

AB 2066 aligns California with the federal requirements of the No Child Left Behind Act of 2001 by creating a framework of statewide assistance for identified Local Education Agencies (LEAs). Specifically, AB 2066 requires participating LEAs to contract with qualified external providers to conduct a self-assessment and implement solutions to identified shortcomings. In addition, participating LEAs are required to "work with" a county superintendent to ensure community participation and awareness.

Education stakeholders have expressed confusion regarding the term "work with" in subparagraph (1)(B) of paragraph (b) and subparagraph (1)(B) of paragraph (c) in section 52055.57 of the

Education Code. As the author, the intent of the term is to make certain that *participating Local Education Agencies are working with a County Superintendent for the purpose of preparing to contract with a county office of education or other external entity*. The term is not to require LEAs to receive contract approval from the county superintendent.

Mr. Speaker, I submit this letter to the journal at the request of impacted education stakeholders to ensure the intent of Assembly Bill 2066 is clarified and implemented. Thank you for your consideration in this matter.

Sincerely,

DARRELL STEINBERG, Assembly Member  
Ninth District

**Legislative Intent—Assembly Bill No. 2100**

August 27, 2004

*The Honorable E. Dotson Wilson*  
*Chief Clerk of the Assembly*  
*Assembly Chamber*

Dear Mr. Wilson,

We request that this letter be printed in the Assembly Journal with regard to Assembly Bill 2100 (Steinberg) and the clients of Agnews Developmental Center.

We believe that the provisions of AB 2100 will allow for innovative housing options for qualified Agnews clients with developmental disabilities.

According to the Department of Developmental Services (DDS) estimates, no more than 50 people from Agnews would qualify for these new housing options. However, those that do qualify would *not* be required live in the family teaching homes. The provisions of AB 2100 are voluntary for qualified Agnews clients.

The DDS assures us that appropriate monitoring of the family teaching homes will be provided, and that abuse or misconduct will not be tolerated. We believe that the oversight provided by DDS will, in many ways, exceed that provided in licensed homes. To ensure client safety, we call on DDS to collect and analyze data pertaining to any complaints, accidents, or injuries that occur in family teaching homes and to make this information available to the Legislature and the public.

The safety and well-being of the Agnews residents is our highest priority. Given these facts and assurances, we are confident that AB 2100 is the proper course and will improve the quality of life to Agnews residents. To achieve these aims it will be necessary for the DDS to work closely with the families of Agnews residents to ensure further developments affecting their loved ones will have the benefit of their participation.

Sincerely,

SALLY J. LIEBER  
Assembly Member  
Twenty-second District

DARRELL STEINBERG  
Assembly Member  
Ninth District

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

On behalf of Assembly Member McCarthy, Assembly Member Cogdill requested unanimous consent that a communication be printed in the Journal.

Assembly Member Frommer withheld unanimous consent.

**Motion to Print in Journal**

Assembly Member Cogdill moved that a communication be printed in the Journal.

Assembly Member Shirley Horton seconded the motion.

Motion lost by the following vote:

**AYES—34**

Aghazarian	Dutton	La Suer	Richman
Bates	Garcia	Maddox	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Chavez	Horton, Jerome	McCarthy	Strickland
Cogdill	Horton, Shirley	Mountjoy	Wesson
Correa	Houston	Nakanishi	Wyland
Cox	Keene	Pacheco	
Daucher	La Malfa	Plescia	

**NOES—39**

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Jackson	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Laird	Nakano	Wiggins
Corbett	Leno	Nation	Wolk
Diaz	Levine	Oropeza	Yee
Dymally	Lieber	Pavley	Mr. Speaker
Firebaugh	Liu	Reyes	

**REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL**

Assembly Member Frommer was granted unanimous consent that the following statement of legislative intent be printed in the Journal.

**Legislative Intent—Assembly Bill No. 578**

August 27, 2004

*The Honorable Fabian Nunez*  
*Speaker of the Assembly*  
*State Capitol, Room 319*  
*Sacramento, California*

Dear Speaker Nunez: As the author of Assembly Bill 578, I wish to clarify that the purpose of the urgency measure for this bill is to expedite the regulatory process and it is not intended to allow immediate electronic recordation until the regulations required by this measure are adopted.

It is the intent of this Act to modernize and improve California's county system for the recordation of documents affecting title and interest in real property and to provide interested parties with an efficient, accessible, reliable and inexpensive mechanism to perfect real property interests.

Sincerely,

MARK LENO, Assembly Member  
 Thirteenth District

**RECESS**

By unanimous consent, at 3:35 a.m., Speaker Nunez declared the Assembly recessed.

**RECONVENED**

At 3:37 a.m., the Assembly reconvened.

Hon. Fabian Nunez, Speaker of the Assembly, presiding.

**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. 855:** Canciamilla, Chan, Chavez, Garcia, Jerome Horton, Houston, Koretz, Levine, Lieber, Maddox, Mullin, Nakanishi, Nation, Oropeza, Richman, and Simitian—Aye.

**Senate Bill No. 1545:** Canciamilla, Chavez, Correa, Garcia, Haynes, Houston, Koretz, Maddox, Nakanishi, Nation, Oropeza, Ridley-Thomas, and Simitian—Aye.

**Spitzer Motion to Suspend Assembly Rule 96:** Bogh, Haynes, Houston, Koretz, Maddox, and Nakanishi—Aye; Chavez, Garcia, and Mountjoy—No.

**Senate Bill No. 311 and Urgency:** Calderon, Canciamilla, Chan, Chavez, Corbett, Firebaugh, Garcia, Jerome Horton, Houston, Koretz, Maddox, Mountjoy, Nakanishi, Oropeza, Plescia, Simitian, and Wyland—Aye; Haynes—No.

**Senate Bill No. 1909:** Canciamilla, Chan, Chavez, Dutton, Garcia, Houston, Kehoe, Koretz, Liu, Maldonado, Mountjoy, Plescia, Simitian, and Wyland—Aye; Haynes, Laird, and Nakanishi—No.

**Senate Bill No. 50 and Urgency:** Canciamilla, Chavez, Daucher, Firebaugh, Garcia, Houston, Kehoe, Koretz, Mountjoy, Nakanishi, Plescia, Simitian, and Wolk—Aye.

**Senate Bill No. 1912 and Urgency:** Canciamilla, Chavez, Firebaugh, Kehoe, Koretz, Nakanishi, Simitian, and Wolk—Aye.

**Senate Bill No. 1313:** Bogh, Canciamilla, Chavez, Cohn, Correa, Daucher, Diaz, Dutra, Dutton, Firebaugh, Garcia, Goldberg, Jerome Horton, Houston, Kehoe, Koretz, McCarthy, Nakanishi, Nation, Pacheco, Plescia, Simitian, Vargas, and Wyland—Aye; Runner—No.

**Assembly Bill No. 2115, Urgency and Concurrence:** Campbell, Chavez, Firebaugh, Jerome Horton, Koretz, Maddox, Maldonado, Nakanishi, Nation, Oropeza, Plescia, Simitian, Wolk, and Wyland—Aye; Canciamilla—No.

**Assembly Bill No. 2120, Concurrence:** Canciamilla, Chan, Chavez, Diaz, Firebaugh, Jerome Horton, Koretz, Plescia, Wolk, and Wyland—Aye.

**Assembly Bill No. 2807, Concurrence:** Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Correa, Firebaugh, Garcia, Koretz, Liu, Maldonado, Nakanishi, Oropeza, Plescia, Simitian, Wolk, and Wyland—Aye.

**Assembly Bill No. 3065, Concurrence:** Bogh, Campbell, Canciamilla, Chan, Chavez, Correa, Firebaugh, Garcia, Koretz, Plescia, Simitian, and Wyland—Aye.

**Assembly Bill No. 2127, Concurrence:** Bermudez, Bogh, Canciamilla, Chavez, Firebaugh, Koretz, Oropeza, Plescia, and Wyland—Aye.

**Assembly Bill No. 2661, Concurrence:** Bermudez, Calderon, Canciamilla, Chan, Chavez, Firebaugh, Garcia, Jerome Horton, Koretz, Oropeza, Plescia, Simitian, and Wyland—Aye.

**Assembly Bill No. 2838, Concurrence:** Canciamilla, Chavez, Firebaugh, Garcia, Koretz, Nakanishi, Oropeza, and Simitian—Aye; Bogh, Campbell, Daucher, Dutton, Plescia, and Wyland—No.

**Assembly Bill No. 358, Concurrence:** Canciamilla, Chavez, Correa, Firebaugh, Garcia, Jerome Horton, Koretz, Levine, Maldonado, and Spitzer—Aye; Aghazarian, Campbell, Cox, Daucher, Pacheco, Plescia, and Wyland—No.

**Assembly Bill No. 857, Concurrence, Mountjoy Motion to Re-refer to Committee:** Chavez, Firebaugh, Koretz, and Wyland—Aye; Matthews—No.

**Assembly Bill No. 857, Concurrence:** Chavez, Correa, Firebaugh, Jerome Horton, Koretz, and La Malfa—Aye; Dutton, Maddox, McCarthy, Runner, and Wyland—No.

**Assembly Bill No. 1119, Concurrence:** Aghazarian, Canciamilla, Chavez, Correa, Firebaugh, Houston, Koretz, Maldonado, McCarthy, Mountjoy, Plescia, and Runner—Aye.

**Assembly Bill No. 1126, Concurrence:** Canciamilla, Chavez, Correa, Firebaugh, Goldberg, and Koretz—Aye.

**Assembly Bill No. 1684, Urgency and Concurrence:** Canciamilla, Chavez, Firebaugh, Koretz, Maddox, Mountjoy, and Oropeza—Aye.

**Assembly Bill No. 1896, Urgency and Concurrence:** Bermudez, Bogh, Canciamilla, Chavez, Garcia, Hancock, Kehoe, Koretz, La Malfa, La Suer, Levine, Longville, Maddox, McCarthy, Mountjoy, Oropeza, Plescia, Runner, and Simitian—Aye; Haynes—No.

**Assembly Bill No. 1858, Concurrence:** Bates, Canciamilla, Chavez, Correa, Dymally, Frommer, Shirley Horton, Koretz, Maldonado, and Richman—Aye.

**Assembly Bill No. 1987, Concurrence:** Bates, Bogh, Canciamilla, Chavez, Firebaugh, Garcia, Keene, Koretz, Leslie, Liu, Longville, Maddox, Mountjoy, and Plescia—Aye.

**Assembly Bill No. 2066, Concurrence:** Calderon, Canciamilla, Chan, Chavez, Garcia, Koretz, McCarthy, Nation, Oropeza, Plescia, Runner, Spitzer, and Wyland—Aye.

**Assembly Bill No. 2144, Concurrence:** Chavez, Firebaugh, Koretz, and Wolk—Aye; Garcia and Mountjoy—No.

**Assembly Bill No. 2348, Concurrence:** Bogh, Calderon, Canciamilla, Chan, Chavez, Firebaugh, Koretz, Oropeza, and Plescia—Aye.

**Assembly Bill No. 2633, Concurrence:** Aghazarian, Berg, Canciamilla, Chavez, Correa, Firebaugh, Garcia, Koretz, and Spitzer—Aye.

**Assembly Bill No. 2152, Concurrence:** Canciamilla, Chavez, Koretz, and Simitian—Aye; Garcia and Plescia—No.

**Assembly Bill No. 2638, Concurrence:** Berg, Canciamilla, Chavez, Correa, Firebaugh, Keene, Koretz, Leslie, Oropeza, Simitian, Spitzer, and Wiggins—Aye.

**Assembly Bill No. 2722, Concurrence:** Calderon, Chan, Chavez, Correa, Firebaugh, Garcia, Hancock, Koretz, and Wolk—Aye; Bates, Keene, Leslie, Plescia, and Wyland—No.

**Senate Bill No. 902:** Canciamilla, Chavez, Firebaugh, Koretz, Pacheco, Plescia, Wolk, and Wyland—Aye.

**Assembly Bill No. 3088, Concurrence:** Chavez, Daucher, Garcia, Koretz, Oropeza, Ridley-Thomas, Wiggins, and Wyland—Aye.

**Assembly Bill No. 3098, Concurrence:** Bates, Chavez, Garcia, Koretz, and Maddox—Aye; Bogh, Plescia, and Wyland—No.

**Assembly Bill No. 1957, Concurrence:** Chavez, Correa, Jerome Horton, and Koretz—Aye; Bates, Bogh, Garcia, Plescia, and Wyland—No.

**Assembly Bill No. 1558, Urgency and Concurrence:** Bogh, Chavez, Correa, Jerome Horton, Koretz, La Malfa, La Suer, and Oropeza—Aye.

**Assembly Bill No. 2151, Concurrence:** Chavez, Corbett, Correa, Firebaugh, Garcia, Koretz, and Salinas—Aye; Aghazarian, Bogh, Dutton, Houston, and Plescia—No.

**Assembly Bill No. 2821, Concurrence:** Bogh, Chavez, Correa, Dutra, Firebaugh, Garcia, Goldberg, Hancock, Koretz, Negrete McLeod, Oropeza, Simitian, and Wolk—Aye.

**Assembly Bill No. 658, Concurrence:** Bogh, Chavez, Correa, Garcia, Goldberg, Hancock, Jerome Horton, Koretz, Maddox, Mountjoy, and Simitian—Aye.

**Assembly Bill No. 1353, Concurrence:** Chavez, Correa, Firebaugh, Garcia, Koretz, Maddox, Mountjoy, Nation, Oropeza, and Simitian—Aye; Bogh—No.

**Assembly Bill No. 1369, Concurrence:** Chavez, Correa, Garcia, Koretz, Oropeza, Ridley-Thomas, Wiggins, and Wyland—Aye; Bogh, Mountjoy, and Plescia—No.

**Assembly Bill No. 2358, Concurrence:** Aghazarian, Canciamilla, Chavez, Correa, Garcia, Houston, Keene, Koretz, La Malfa, La Suer, Leslie, Maddox, Plescia, Ridley-Thomas, Runner, Spitzer, Wiggins, and Wyland—Aye; Mountjoy—No.

**Assembly Bill No. 3018, Concurrence:** Aghazarian, Bates, Canciamilla, Chavez, Correa, Dutton, Garcia, Shirley Horton, Keene, Koretz, La Malfa, La Suer, Leslie, Maddox, Mountjoy, Oropeza, Plescia, Ridley-Thomas, Runner, Samuelian, Spitzer, Wiggins, and Wyland—Aye.



**Assembly Bill No. 1227, Concurrence:** Aghazarian, Canciamilla, Chavez, Correa, Dymally, Houston, Keene, Kehoe, Koretz, La Malfa, La Suer, Leslie, Levine, Liu, Maddox, Mountjoy, Oropeza, Plescia, Ridley-Thomas, Runner, Simitian, Spitzer, Wiggins, and Wyland—Aye.

**Assembly Bill No. 1867, Concurrence:** Aghazarian, Canciamilla, Chavez, Correa, Dymally, Garcia, Houston, Keene, Kehoe, Koretz, La Malfa, Leno, Leslie, Levine, Liu, Lowenthal, Maddox, Mountjoy, Oropeza, Parra, Plescia, Ridley-Thomas, Runner, Simitian, Spitzer, Wiggins, and Wyland—Aye; La Suer—No.

**Assembly Bill No. 2129, Concurrence:** Aghazarian, Canciamilla, Chavez, Correa, Diaz, Dymally, Jerome Horton, Houston, Jackson, Kehoe, Koretz, La Malfa, La Suer, Leno, Levine, Liu, Lowenthal, Nakanishi, Oropeza, Plescia, Ridley-Thomas, Runner, Simitian, Spitzer, Wiggins, and Wyland—Aye.

**Assembly Bill No. 1958, Concurrence:** Bates, Berg, Canciamilla, Chavez, Correa, Dymally, Garcia, Jackson, Koretz, Liu, Maldonado, Mullin, Oropeza, Simitian, and Wyland—Aye; Aghazarian, Dutton, Houston, La Malfa, La Suer, Leslie, Mountjoy, Pacheco, Plescia, Runner, and Spitzer—No.

**Senate Concurrent Resolution No. 94:** Aghazarian, Bogh, Canciamilla, Chavez, Correa, Dymally, Garcia, Haynes, Houston, Keene, Koretz, La Malfa, La Suer, Leslie, Liu, Nakanishi, Pacheco, Plescia, Ridley-Thomas, Runner, Spitzer, Wiggins, and Wyland—Aye.

**Senate Bill No. 1478, Jackson Amendments:** Aghazarian, Bogh, Canciamilla, Chavez, Correa, Cox, Dymally, Garcia, Koretz, La Suer, Leslie, Liu, Mountjoy, Nakanishi, Pacheco, Plescia, Richman, Ridley-Thomas, Spitzer, Strickland, Wiggins, and Wyland—Aye; Haynes, Houston, Keene, and La Malfa—No.

**Senate Bill No. 1478:** Bates, Canciamilla, Chavez, Cohn, Correa, Dutra, Dymally, Firebaugh, Garcia, Koretz, Liu, Nakano, and Negrete McLeod—Aye; Aghazarian, Bogh, Dutton, Houston, La Malfa, La Suer, Leslie, Mountjoy, Plescia, Runner, Samuelian, Spitzer, and Wyland—No.

**Senate Bill No. 1488:** Bermudez, Bogh, Calderon, Canciamilla, Chan, Chavez, Correa, Dutra, Dutton, Dymally, Garcia, Keene, Koretz, La Malfa, La Suer, Liu, Maddox, Maze, Mountjoy, Nakanishi, Negrete McLeod, Pacheco, and Wyland—Aye; Haynes, Plescia, and Runner—No.

**Senate Bill No. 1210:** Bermudez, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Correa, Cox, Dutra, Garcia, Haynes, Houston, Koretz, La Malfa, La Suer, Matthews, Maze, Nakanishi, Negrete McLeod, Pacheco, Plescia, Ridley-Thomas, Runner, Strickland, Wiggins, and Wyland—Aye.

**Assembly Bill No. 1155, Concurrence:** Canciamilla, Chavez, Koretz, Maldonado, Ridley-Thomas, Samuelian, and Wiggins—Aye; Aghazarian, Correa, Garcia, La Malfa, La Suer, Mountjoy, Plescia, Runner, and Wyland—No.

**Senate Bill No. 1549:** Canciamilla, Chavez, Firebaugh, Garcia, Shirley Horton, Kehoe, Koretz, Maldonado, Richman, Runner, and Simitian—Aye; Daucher, Dutton, McCarthy, Mountjoy, and Nakanishi—No.

**Senate Joint Resolution No. 31:** Aghazarian, Bogh, Canciamilla, Chavez, Correa, Diaz, Jerome Horton, Houston, Koretz, Levine, Plescia, Runner, Simitian, Spitzer, and Wyland—Aye.

**Assembly Bill No. 2710, Concurrence:** Bogh, Canciamilla, Chavez, Correa, Diaz, Garcia, Hancock, Jerome Horton, Kehoe, Koretz, Levine, Samuelian, and Simitian—Aye; Aghazarian, Haynes, Houston, Maddox, Plescia, Runner, Spitzer, and Wyland—No.

**Assembly Bill No. 269, Concurrence:** Aghazarian, Bogh, Canciamilla, Chavez, Chu, Correa, Diaz, Dutton, Garcia, Hancock, Jerome Horton, Houston, Koretz, Lieber, Nation, Plescia, Runner, Simitian, Spitzer, Steinberg, and Wyland—Aye.

**Senate Bill No. 550, Urgency and Conference Report:** Chavez, Correa, Koretz, Nakanishi, Plescia, and Runner—Aye.

**Assembly Bill No. 3001, Urgency and Conference Report:** Canciamilla, Chavez, Correa, Koretz, Liu, Plescia, and Runner—Aye.

**Assembly Bill No. 1550, Urgency and Conference Report:** Aghazarian, Chavez, Correa, Koretz, Runner, and Spitzer—Aye.

**Senate Bill No. 6, Urgency and Conference Report:** Canciamilla, Chavez, Correa, Koretz, and Runner—Aye.

**Senate Bill No. 1897, Conference Report:** Chavez, Correa, Jerome Horton, Jackson, Koretz, Oropeza, and Simitian—Aye; Bogh, Cox, Garcia, Shirley Horton, Maldonado, Richman, Runner, Samuelian, Spitzer, and Strickland—No.

**Assembly Bill No. 242, Conference Report:** Chavez, Correa, Dutton, Firebaugh, Garcia, Houston, Jackson, Koretz, McCarthy, Oropeza, Runner, Simitian, and Spitzer—Aye; Bogh, La Malfa, Nakanishi, and Plescia—No.

**Assembly Bill No. 1975, Concurrence:** Berg, Bogh, Chavez, Correa, Firebaugh, Garcia, Houston, Koretz, Nation, Oropeza, Pacheco, Plescia, Runner, and Wesson—Aye.

**Assembly Bill No. 606, Concurrence:** Chavez and Koretz—Aye; Maldonado, Mountjoy, Plescia, Runner, Spitzer, Wolk, and Wyland—No.

**Frommer Motion to Reconsider Bills:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 1648:** Koretz—Aye; Mountjoy and Runner—No.

**Assembly Bill No. 1020, Concurrence:** Bermudez, Calderon, Chavez, Cohn, Corbett, Correa, Cox, Diaz, Jerome Horton, Koretz, Liu, Lowenthal, Maddox, Mountjoy, Mullin, Nakano, Parra, Plescia, Reyes, Ridley-Thomas, Runner, Simitian, Strickland, Vargas, Wiggins, and Wyland—Aye.

**Assembly Bill No. 3041, Concurrence:** Bermudez, Canciamilla, Chan, Chavez, Correa, Cox, Diaz, Jerome Horton, Koretz, Maddox, Mountjoy, Oropeza, Parra, Plescia, Reyes, Ridley-Thomas, Runner, Strickland, Wyland, and Yee—Aye.

**Assembly Bill No. 1010, Concurrence:** Aghazarian, Bermudez, Canciamilla, Chavez, Cohn, Diaz, Jerome Horton, Houston, Koretz, La Malfa, La Suer, Levine, Maddox, Mountjoy, Parra, Plescia, Runner, and Wyland—Aye.

**Assembly Bill No. 1486, Concurrence:** Bermudez, Calderon, Diaz, Firebaugh, Garcia, Jerome Horton, Jackson, Koretz, La Malfa, and Maddox—Aye; Aghazarian, Bogh, La Suer, Maze, Mountjoy, Nakanishi, Plescia, Runner, and Wyland—No.

**Assembly Bill No. 164, Concurrence:** Benoit, Calderon, Canciamilla, Chan, Chu, Cohn, Daucher, Diaz, Dutton, Jerome Horton, Koretz, Leno, Lowenthal, Maddox, McCarthy, Mountjoy, Plescia, Runner, Vargas, and Wyland—Aye.

**Assembly Bill No. 1068, Urgency and Concurrence:** Calderon, Correa, Diaz, Dutton, Jerome Horton, Koretz, Leno, Lowenthal, Maddox, Mountjoy, Plescia, Runner, and Wyland—Aye.

**Assembly Bill No. 1077, Urgency and Concurrence:** Bogh, Calderon, Chu, Cohn, Correa, Diaz, Firebaugh, Jerome Horton, Kehoe, Koretz, Levine, Maddox, Mountjoy, Runner, Vargas, Wolk, and Wyland—Aye.

**Assembly Bill No. 2165, Urgency and Concurrence:** Calderon, Canciamilla, Chu, Cohn, Diaz, Dymally, Jerome Horton, Keene, Koretz, Leslie, Liu, Maddox, Mountjoy, Plescia, Runner, Simitian, Vargas, and Wyland—Aye.

**Assembly Bill No. 578, Concurrence:** Calderon, Canciamilla, Cohn, Diaz, Frommer, Jerome Horton, Koretz, Maddox, Mountjoy, Plescia, Runner, Vargas, and Wyland—Aye.

**Assembly Bill No. 1417, Urgency and Concurrence:** Calderon, Correa, Frommer, Garcia, Haynes, Jerome Horton, Koretz, Maddox, Mountjoy, Nakano, and Runner—Aye.

**Assembly Bill No. 2683, Concurrence:** Diaz, Harman, Jerome Horton, Koretz, and Vargas—Aye; Correa, Maddox, Maldonado, Mountjoy, Pacheco, and Runner—No.

**Assembly Bill No. 2006, Concurrence:** Frommer and Koretz—Aye; Dutton, Plescia, and Runner—No.

**Assembly Bill No. 1906, Concurrence:** Aghazarian, Frommer, Jerome Horton, Kehoe, Koretz, Levine, and Simitian—Aye; Bogh, Garcia, Shirley Horton, Maddox, Mountjoy, Plescia, Runner, and Wyland—No.

**Assembly Bill No. 2891, Concurrence:** Correa, Koretz, Maldonado, Nakano, Nation, Simitian, and Yee—Aye; Bates, Garcia, Keene, Leslie, Maddox, McCarthy, Mountjoy, Runner, and Strickland—No.

**Assembly Bill No. 3017, Concurrence:** Bermudez, Cohn, Shirley Horton, Koretz, Matthews, Nation, Simitian, and Vargas—Aye; Maddox, Mountjoy, and Runner—No.

**Assembly Bill No. 1831, Conference Report:** Berg, Bogh, Canciamilla, Chu, Cohn, Corbett, Correa, Daucher, Diaz, Dutton, Garcia, Goldberg, Jerome Horton, Koretz, La Malfa, Levine, Lowenthal, Nakano, Nation, Oropeza, Richman, Runner, Simitian, and Spitzer—Aye; Haynes—No.

**Senate Bill No. 1566:** Koretz—Aye; Correa and Runner—No.

**Assembly Bill No. 1240, Urgency and Concurrence:** Bermudez, Canciamilla, Chavez, Chu, Correa, Jerome Horton, Laird, Longville, Nation, Negrete McLeod, Oropeza, Plescia, Simitian, Wolk and Wyland—Aye.

**Assembly Bill No. 2598, Concurrence:** Bermudez, Chavez, Chu, Correa, Jerome Horton, Jackson, Koretz, Leno, Longville, Lowenthal, McCarthy, Negrete McLeod, Pacheco, Runner, Samuelian, Simitian, Wolk, and Wyland—Aye; Plescia—No.

**Assembly Bill No. 2155, Concurrence:** Berg, Bermudez, Bogh, Calderon, Canciamilla, Chu, Correa, Frommer, Levine, Longville, Maldonado, Nation, and Wolk—Aye.

**Assembly Bill No. 2895, Concurrence:** Negrete McLeod—Aye.

**Assembly Bill No. 1075, Urgency and Concurrence:** Frommer, Kehoe, La Malfa, La Suer, Levine, McCarthy, Nakano, Parra, Plescia, Reyes, Wesson, and Wyland—Aye.

**Senate Bill No. 1164:** Samuelian—Aye; Maddox, Mountjoy, and Runner—No.

**Assembly Bill No. 1723, Concurrence:** Garcia and Maldonado—No.

**Assembly Bill No. 421, Concurrence:** Chu and Firebaugh—Aye; Bates, Garcia, Shirley Horton, Mountjoy, Plescia, Runner, and Spitzer—No.

**Assembly Bill No. 2466, Concurrence:** Chavez, Dutton, Firebaugh, Garcia, Goldberg, Shirley Horton, Nation, Reyes, Wolk, and Wyland—Aye; Canciamilla, Chan, and Haynes—No.

**Assembly Bill No. 1383, Concurrence:** Correa, Goldberg, Haynes, Koretz, Lieber, and Steinberg—Aye.

**Assembly Bill No. 3085, Urgency and Concurrence:** Chavez, Correa, Hancock, Haynes, Koretz, Longville, Parra, Simitian, Wiggins, and Wolk—Aye.

**Assembly Bill No. 1367, Concurrence:** Chavez, Garcia, and Plescia—Aye; Aghazarian, Haynes and Runner—No.

**Assembly Bill No. 2596, Concurrence:** Bogh, Canciamilla, Chavez, Garcia, Goldberg, Hancock, Nation, Parra, Simitian, and Wiggins—Aye; Haynes—No.

**Assembly Bill No. 2682, Concurrence:** Bates, Canciamilla, Chan, Chavez, Daucher, Garcia, Shirley Horton, Levine, Nakanishi, Samuelian, Spitzer, Wiggins, and Wolk—Aye; Bogh, Campbell, Dutton, Haynes, and Plescia—No.

**Assembly Bill No. 825, Concurrence:** Benoit, Bogh, Campbell, Chavez, Correa, Garcia, La Suer, Lieber, Lowenthal, Oropeza, Pacheco, Plescia, Spitzer, Steinberg, and Wiggins—Aye; Haynes, Keene, La Malfa, and Runner—No.

**Assembly Bill No. 664, Concurrence:** Calderon, Correa, and Koretz—Aye; Bogh, Garcia, Haynes, Keene, Leslie, Mountjoy, and Samuelian—No.

**Assembly Bill No. 671, Concurrence:** Correa, Koretz, Levine, Liu, Plescia, and Wyland—Aye; Bogh, Garcia, Mountjoy, and Pacheco—No.

**Senate Bill No. 437 and Urgency:** Haynes—Aye.

**Assembly Bill No. 1074, Concurrence:** Campbell, Chu, Diaz, Goldberg, Hancock, Haynes, Lieber, Maddox, Mountjoy, Mullin, Pavley, Plescia, Simitian, Steinberg, Wesson, and Wyland—Aye.

**Assembly Bill No. 1253, Concurrence:** Calderon, Canciamilla, Chu, Cohn, Corbett, Correa, Daucher, Diaz, Dutton, Frommer, Jerome Horton, Houston, La Malfa, Levine, Nakano, Nation, Oropeza, Pacheco, Pavley, Plescia, and Wesson—Aye.

**Assembly Bill No. 1782, Concurrence:** Cohn, Koretz, Leno, Levine, Longville, Mullin, Nakanishi, and Wesson—Aye.

**Senate Bill No. 1752:** Berg, Canciamilla, Chu, Cohn, Corbett, Correa, Firebaugh, Hancock, Jerome Horton, Kehoe, and Levine—Aye.

**Assembly Bill No. 712, Concurrence:** Canciamilla, Daucher, Dutton, Firebaugh, Houston, Kehoe, Oropeza, Plescia, and Spitzer—Aye; Bogh and Maze—No.

**Senate Bill No. 1845:** Dutra, Garcia, Shirley Horton, Kehoe, Levine, Mountjoy, Parra, Reyes, Ridley-Thomas, Spitzer, and Wolk—Aye; Aghazarian, Bogh, Dutton, Houston, Nakanishi, Pacheco, Plescia, and Runner—No.

**Assembly Bill No. 379, Concurrence:** Bermudez, Garcia, Kehoe, Koretz, Levine, Lieber, and Nation—Aye; Bogh, Leslie, Pacheco, Plescia, and Wyland—No.

**Assembly Bill No. 2277, Concurrence:** Corbett—Aye.

**Assembly Bill No. 2328, Concurrence:** Jerome Horton, Oropeza, Plescia, Reyes, and Wyland—Aye; Hancock and Lieber—No.

**Assembly Bill No. 2727, Urgency and Concurrence:** Bermudez, Bogh, Frommer, Goldberg, Houston, Jackson, La Malfa, Leno, Matthews, and Nakano—Aye.

**Assembly Bill No. 1629, Urgency and Concurrence:** Canciamilla, Firebaugh, Houston, Mullin, Oropeza, Pavley, and Wesson—Aye.

**Assembly Bill No. 2519, Concurrence:** Dutra, Negrete McLeod, and Parra—Aye.

**Assembly Bill No. 135, Urgency and Concurrence:** Firebaugh, Mountjoy, and Wolk—Aye.

**Assembly Bill No. 2532, Concurrence:** Canciamilla and Frommer—Aye.

**Senate Bill No. 391:** Maldonado and Negrete McLeod—Aye; Pacheco—No.

**Senate Bill No. 1563:** Maldonado—Aye.

**Senate Bill No. 76:** Canciamilla, Chavez, Jerome Horton, Oropeza, Ridley-Thomas, Simitian, Wiggins, and Wolk—Aye.

**Senate Bill No. 1227:** Canciamilla, Jerome Horton, Leno, Oropeza, Ridley-Thomas, Simitian, and Wiggins—Aye.

**Senate Bill No. 592 and Urgency:** Canciamilla, Chavez, Frommer, Jerome Horton, Nakano, Oropeza, Ridley-Thomas, Simitian, and Wiggins—Aye.

**Assembly Bill No. 389, Concurrence:** Bermudez, Cox, Firebaugh, Jerome Horton, Oropeza, and Simitian—Aye.

**Assembly Bill No. 1588, Concurrence:** Cox, Firebaugh, Jerome Horton, Simitian, and Wesson—Aye.

**Assembly Bill No. 2122, Urgency and Concurrence:** Chu, Cox, Firebaugh, Jerome Horton, Maze, Oropeza, and Simitian—Aye.

**Assembly Bill No. 2525, Urgency and Concurrence:** Canciamilla, Chavez, Cox, Firebaugh, Jerome Horton, and Simitian—Aye.

**Assembly Bill No. 2251, Concurrence:** Chavez, Cox, Firebaugh, Keene, Oropeza, and Simitian—Aye.

**Assembly Bill No. 2103, Urgency and Concurrence:** Aghazarian, Canciamilla, Chavez, Cox, Firebaugh, La Malfa, Maze, Mountjoy, Nakanishi, Oropeza, Simitian, and Wyland—Aye.

**Assembly Bill No. 780, Concurrence:** Benoit, Canciamilla, Cox, Firebaugh, Houston, and Simitian—Aye.

**Assembly Bill No. 3092, Urgency and Concurrence:** Correa, Firebaugh, Houston, Jackson, Levine, Oropeza, and Simitian—Aye; Bogh, Cox, Keene, and La Malfa—No.

**Vargas Motion to Dispense with Call:** Leno—Aye; Cox—No.

**Assembly Bill No. 1839, Concurrence:** Cox and Matthews—No.

**Assembly Bill No. 864, Concurrence:** Correa—No.

**Assembly Bill No. 1426, Concurrence:** Cox, Firebaugh, and Liu—Aye.

**Assembly Bill No. 1394, Concurrence:** Bermudez, Chavez, Correa, Daucher, Frommer, Lieber, Spitzer, Wolk, and Wyland—Aye; Campbell—No.

**Senate Bill No. 217:** Correa—No.

**Assembly Joint Resolution No. 56, Concurrence:** Bates, Canciamilla, Garcia, Koretz, Levine, Nation, and Richman—Aye; Runner and Wyland—No.

**Assembly Bill No. 1980, Conference Report:** Correa—Aye; Runner—No.

**Assembly Bill No. 923, Concurrence:** Bermudez, Canciamilla, Chavez, Daucher, Dymally, Garcia, and Hancock—Aye; Matthews and Plescia—No.

**Assembly Bill No. 95, Urgency and Concurrence:** Bates, Houston, and Runner—No.

**Senate Bill No. 779:** Maldonado—Aye; Correa and Runner—No.

**Assembly Bill No. 1297, Concurrence:** Canciamilla and Jackson—Aye; Runner, Spitzer, and Wyland—No.

**Senate Bill No. 1397:** Chavez and Leno—Aye.

**Assembly Bill No. 2101, Concurrence:** Correa and Runner—No.

**Assembly Bill No. 1009, Urgency and Concurrence:** Frommer—Aye; Correa—No.

**Frommer Motion to Print in Journal:** Chavez, La Malfa, and Simitian—Aye.

**Cogdill Motion to Print in Journal:** Chavez—Aye.

**Senate Bill No. 1648:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 1164:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Assembly Bill No. 1927:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 1563:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 1566:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 217:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 779:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 1397:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

**Senate Bill No. 131:** Chavez, Corbett, Koretz, and Nakano—Aye; Correa and Mountjoy—No.

#### MOTION TO ADJOURN

At 3:37 a.m., Assembly Member Frommer moved that the Assembly adjourn for the Final Recess of the 2003–04 Regular Session, pursuant to the provisions of Joint Rule 51 until adjournment *sine die* on November 30, 2004.

Assembly Member Benoit seconded the motion.

Motion carried.

#### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:37 a.m., Speaker Nunez declared the quorum call of the Assembly dispensed with.

#### MESSAGES FROM THE SENATE

Senate Chamber, August 26, 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. 1520

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

Senate Chamber, August 27, 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. 231  
Senate Bill No. 348  
Senate Bill No. 1152

Senate Bill No. 1164  
Senate Bill No. 1444  
Senate Bill No. 1549

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

Senate Chamber, August 27, 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. 437

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

Senate Chamber, August 27, 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. 50  
Senate Bill No. 311  
Senate Bill No. 855  
Senate Bill No. 1117  
Senate Bill No. 1140  
Senate Bill No. 1210  
Senate Bill No. 1215  
Senate Bill No. 1313  
Senate Bill No. 1333

Senate Bill No. 1438  
Senate Bill No. 1478  
Senate Bill No. 1488  
Senate Bill No. 1538  
Senate Bill No. 1545  
Senate Bill No. 1648  
Senate Bill No. 1892  
Senate Bill No. 1909  
Senate Bill No. 1912

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

Senate Chamber, August 27, 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. 86  
Senate Bill No. 96  
Senate Bill No. 177  
Senate Bill No. 519  
Senate Bill No. 635  
Senate Bill No. 888  
Senate Bill No. 926  
Senate Bill No. 1144  
Senate Bill No. 1149

Senate Bill No. 1456  
Senate Bill No. 1492  
Senate Bill No. 1543  
Senate Bill No. 1555  
Senate Bill No. 1611  
Senate Bill No. 1612  
Senate Bill No. 1630  
Senate Bill No. 1639  
Senate Bill No. 1851

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

Senate Chamber, August 28, 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. 76  
Senate Bill No. 391  
Senate Bill No. 437  
Senate Bill No. 1227

Senate Bill No. 1563  
Senate Bill No. 1752  
Senate Bill No. 1845

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



Senate Chamber, August 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

- Assembly Bill No. 242
- Assembly Bill No. 1550
- Assembly Bill No. 3001

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

Above bills ordered enrolled.

Senate Chamber, August 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

- Senate Bill No. 6
- Senate Bill No. 550
- Senate Bill No. 1897

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

Senate Chamber, August 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

- Assembly Bill No. 1980

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

August 27, 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 SB 1753. The Senate then ordered the bill returned to Unfinished Business.

Sincerely,

GREGORY P. SCHMIDT  
Secretary of the Senate

Senate Chamber, August 27, 2004

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

- Assembly Concurrent Resolution No. 209
- Assembly Concurrent Resolution No. 235
- Assembly Concurrent Resolution No. 236
- Assembly Concurrent Resolution No. 238
- Assembly Concurrent Resolution No. 243
- Assembly Concurrent Resolution No. 248
- Assembly Concurrent Resolution No. 254
- Assembly Concurrent Resolution No. 255

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

Above resolutions ordered enrolled.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 27, 2004

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

Assembly Bill No. 2420

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2004, at 11:15 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, August 27, 2004

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

Assembly Bill No. 517

Assembly Bill No. 672

Assembly Bill No. 858

Assembly Bill No. 1071

Assembly Bill No. 1433

Assembly Bill No. 1462

Assembly Bill No. 1546

Assembly Bill No. 1725

Assembly Bill No. 1726

Assembly Bill No. 1810

Assembly Bill No. 1918

Assembly Bill No. 1933

Assembly Bill No. 1953

Assembly Bill No. 1971

Assembly Bill No. 2149

Assembly Bill No. 2159

Assembly Bill No. 2167

Assembly Bill No. 2784

Assembly Bill No. 2857

Assembly Bill No. 2921

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2004, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, August 27, 2004

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

Assembly Bill No. 1728

Assembly Bill No. 1776

Assembly Bill No. 1916

Assembly Bill No. 2005

Assembly Bill No. 2350

Assembly Bill No. 2450

Assembly Bill No. 2530

Assembly Bill No. 2580

Assembly Bill No. 2644

Assembly Bill No. 2672

Assembly Bill No. 2733

Assembly Bill No. 2830

Assembly Bill No. 3022

Assembly Bill No. 3025

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2004, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION OF GUESTS**

Assembly Member Haynes, of the 66th Assembly District, introduced former Assembly Member John Lewis.

**ADJOURNMENT**

At 3:37 a.m., pursuant to the motion by Assembly Member Frommer and pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the Final Recess of the 2003–04 Regular Session, out of respect to the memory of Jeramiah Cremins, on motion of Assembly Member Steinberg; out of respect to the memory of Dolores Romo Esqueda, on motion of Assembly Member Correa; out of respect to the memory of Larry McCormick, on motion of Assembly Member Ridley-Thomas; out of respect to the memory of Adolf “Lefty” Meisen, on motion of Assembly Member Bates; out of respect to the memory of William Siri, on motion of Assembly Member Hancock; out of respect to the memory of Reverend Don North, on motion of Assembly Member Leslie; out of respect to the memory of Captain David Haskin, on motion of Assembly Member Mullin; out of respect to the memory of Mel Eve, on motion of Assembly Member Richman;

Assembly Members Lieber, Firebaugh, Parra, and Koretz were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Asuncion Valdivia.

Assembly Members Lieber, Corbett, and Harman were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hazel Louise Gullage.

Assembly Members Lieber and Diaz were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Henry Nishijima, of San Jose.

Assembly Members Lieber and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Les Lowenthal.

Assembly Members Lieber, Koretz and Canciamilla were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Miguel Angel Rodriguez, of Concord.

Assembly Members Lieber and Cohn were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nan Vaughn, of San Jose.

Assembly Members Lieber, Cohn, Diaz, and Laird were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Simon Dominguez, M.S.W., of San Jose.

Assembly Members Lieber, Cohn, Diaz, Laird, and Simitian were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William R. Hawley.

Assembly Member Lieber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Beverly Benson, of Morgan Hill; John Thomas Grant, of Cupertino; Kay Peterson and William Dale Baldwin, of Sunnyvale; Army Specialist Kyle Wieland, of Mountain View; Marian F. Roberts, of Los Altos; Masao Oka, of San Jose; William J. Kolb Jr, of Santa Clara; Albert Peter Giannini, M.D., Beatrice Mildred Harrington, George Berry, Juan V. Tuscano, Sr., and William E. O’Brien.

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FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 27, 2004**

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

<b>SB</b>	<b>RN</b>	
118	0417944	
1478	0417833	
<b>Total:</b>		<b>2</b>
<b>Cumulative Total:</b>		<b>5737</b>

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 28, 2004**

The following measure was amended in the Assembly on this day:

**SB**

592

**Total: 1**

**Cumulative Total: 5738**

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