

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, August 28, 2003

**ONE HUNDRED NINETEENTH SESSION DAY
TWO HUNDRED SEVENTIETH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Thursday, August 28, 2003

The Assembly met at 8:30 a.m.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Chan moved a quorum call of the Assembly.
Motion carried. Time, 8:31 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 8:37 a.m., Speaker pro Tempore Kehoe declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—79:

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

PRAYER

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

Lord God, You are the source of all that is good. You have called us all to be peacemakers and to make disciples of all nations. Grant peace to us Your servants, so that we may live as beacons of light and worthy witnesses of Your truth. Help us to meet the needs of our neighbors through the means and avenues of peace. Strengthen us for the fulfillment of Your commandments and deem us worthy of our calling to be united in our love for You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

COMMUNICATIONS

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

August 28, 2003

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

Dear Dotson: This is to advise you that I have appointed Assemblymembers Sally Lieber, John Laird and Lloyd Levine to replace Assemblymembers Ellen Corbett, Marco Firebaugh and Mark Leno and have appointed Assemblymember Gene Mullin to fill the vacancy on the Assembly Appropriations Committee for the Friday, August 29th hearing only.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 28, 2003

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

Assembly Joint Resolution No. 46

Assembly Concurrent Resolution No. 137

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, August 28, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1784
Assembly Bill No. 1785

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Joint</i>		
<i>Resolution No.</i>		<i>Committee</i>
51 -----		Appr.
<i>Senate Concurrent</i>		
<i>Resolution No.</i>		<i>Committee</i>
35 -----		Trans.
45 -----		Trans.
46 -----		Trans.
48 -----		Rls.
<i>Senate Joint</i>		
<i>Resolution No.</i>		<i>Committee</i>
17 -----		V.A.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: August 28, 2003

Mr. Speaker: Your Committee on Rules reports:

- Assembly Concurrent Resolution No. 125
- Assembly Concurrent Resolution No. 132
- Assembly Concurrent Resolution No. 134
- Assembly Concurrent Resolution No. 136

With the recommendation: Be adopted.

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

NATION, Chair

Above resolutions ordered to the Consent Calendar.

AUTHOR'S AMENDMENTS

Committee on Elections, Redistricting and Constitutional Amendments

August 28, 2003

Mr. Speaker: The Chair of your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 1784

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

LONGVILLE, Chair

ASSEMBLY BILL NO. 1784—An act to amend Section 87102 and to add Section 87102.7 to the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

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

MESSAGES FROM THE SENATE

Senate Chamber, August 27, 2003

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

- Senate Bill No. 43
- Senate Bill No. 90
- Senate Bill No. 109
- Senate Bill No. 245
- Senate Bill No. 445
- Senate Bill No. 476
- Senate Bill No. 515

- Senate Bill No. 911
- Senate Bill No. 967
- Senate Bill No. 993
- Senate Bill No. 1002
- Senate Bill No. 1076
- Senate Concurrent Resolution No. 12

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

Senate Chamber, August 27, 2003

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

- Assembly Bill No. 98
- Assembly Bill No. 324
- Assembly Bill No. 807

- Assembly Bill No. 1082
- Assembly Bill No. 1181
- Assembly Bill No. 1689

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

Above bills ordered enrolled.

Senate Chamber, August 27, 2003

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

- Assembly Joint Resolution No. 35

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

Above resolution ordered enrolled.

Senate Chamber, August 27, 2003

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

Senate Bill No. 457.

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

Senate Chamber, August 27, 2003

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

Assembly Bill No. 51	Assembly Bill No. 879
Assembly Bill No. 85	Assembly Bill No. 948
Assembly Bill No. 182	Assembly Bill No. 956
Assembly Bill No. 190	Assembly Bill No. 986
Assembly Bill No. 290	Assembly Bill No. 996
Assembly Bill No. 299	Assembly Bill No. 1038
Assembly Bill No. 332	Assembly Bill No. 1044
Assembly Bill No. 343	Assembly Bill No. 1095
Assembly Bill No. 377	Assembly Bill No. 1144
Assembly Bill No. 394	Assembly Bill No. 1209
Assembly Bill No. 514	Assembly Bill No. 1218
Assembly Bill No. 528	Assembly Bill No. 1301
Assembly Bill No. 544	Assembly Bill No. 1303
Assembly Bill No. 561	Assembly Bill No. 1309
Assembly Bill No. 577	Assembly Bill No. 1354
Assembly Bill No. 635	Assembly Bill No. 1370
Assembly Bill No. 638	Assembly Bill No. 1371
Assembly Bill No. 663	Assembly Bill No. 1392
Assembly Bill No. 685	Assembly Bill No. 1400
Assembly Bill No. 728	Assembly Bill No. 1476
Assembly Bill No. 762	Assembly Bill No. 1536
Assembly Bill No. 845	Assembly Bill No. 1553
Assembly Bill No. 862	Assembly Bill No. 1683

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, 2003

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

Assembly Bill No. 2
Assembly Bill No. 962

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, 2003

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

Assembly Concurrent Resolution No. 106
Assembly Joint Resolution No. 7

And respectfully requests the Assembly to concur in said amendments.

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

Above resolutions ordered to unfinished business file.

Senate Chamber, August 28, 2003

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

Senate Bill No. 144	Senate Bill No. 677
Senate Bill No. 276	Senate Bill No. 684
Senate Bill No. 416	

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

Senate Chamber, August 28, 2003

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

- Assembly Bill No. 315
- Assembly Bill No. 513

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

Above bills ordered enrolled.

Senate Chamber, August 28, 2003

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 205 | Assembly Bill No. 1191 |
| Assembly Bill No. 587 | Assembly Bill No. 1220 |
| Assembly Bill No. 833 | Assembly Bill No. 1241 |
| Assembly Bill No. 841 | Assembly Bill No. 1330 |
| Assembly Bill No. 909 | Assembly Bill No. 1389 |
| Assembly Bill No. 1061 | Assembly Bill No. 1576 |
| Assembly Bill No. 1086 | Assembly Bill No. 1736 |
| Assembly Bill No. 1090 | |

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, 2003

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 123 | Assembly Bill No. 1306 |
| Assembly Bill No. 534 | Assembly Bill No. 1398 |
| Assembly Bill No. 620 | Assembly Bill No. 1718 |
| Assembly Bill No. 1005 | Assembly Bill No. 1738 |
| Assembly Bill No. 1179 | Assembly Bill No. 1774 |

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, 2003

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

- Assembly Joint Resolution No. 38

And respectfully requests the Assembly to concur in said amendments.

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

Above resolution ordered to unfinished business file.

Senate Chamber, August 28, 2003

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

- Assembly Concurrent Resolution No. 6
- Assembly Concurrent Resolution No. 11
- Assembly Concurrent Resolution No. 107
- Assembly Concurrent Resolution No. 120

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

Above resolutions ordered enrolled.

Senate Chamber, August 28, 2003

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

Senate Concurrent Resolution No. 30

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 30—Relative to electricity cost refunds.

BILLS PLACED ON SPECIAL CONSENT CALENDAR

The following bills will be placed upon the Special Consent Calendar, subsequent to one calendar day on the Unfinished Business file:

Assembly Bills Nos. 332, 685, 728, 986, 1301, 1370, 2, 962, 1736, 123, 534, 620, 1005, 1306, 1398, 1718, and 1738.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Oropeza was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at her desk in the Assembly Chamber, whereupon she introduced her sister, Lynne Oropeza.

REQUEST FOR PHOTOGRAPHER

Assembly Members Yee, Shirley Horton and Jerome Horton were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILLS REMOVED FROM CONSENT CALENDAR

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

Assembly Concurrent Resolution No. 112 and **Senate Bills Nos. 279, 631, 1075, 1077, and 973**, on request of Assembly Member Chan.

BILLS REMOVED FROM CONSENT CALENDAR AND PLACED UPON THE INACTIVE FILE

The following bill was removed from the Consent Calendar, pursuant to Joint Rule 22.2 and placed upon the inactive file pursuant to Assembly Rule 78:

Senate Bill No. 906, on request of Assembly Member Chan.

BILL RETURNED TO SENATE

Assembly Member Oropeza was granted unanimous consent that Assembly Bill No. 177 be returned to the Senate for further action.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bills Nos. 604, 1072, and 1080, on request of Assembly Member Plescia.

BILLS REMOVED FROM SPECIAL CONSENT CALENDAR

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

Assembly Bills Nos. 1545 and **195**, on request of Assembly Member Plescia.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bills Nos. 651, 362, 156, and 1078 be removed from the inactive file.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bills Nos. 356 and **814**, on request of Assembly Member Chan.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1498

Assembly Member Wiggins was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1498; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 26 (Assembly Journal, page 3156); and whereby on August 21, 2003 (Assembly Journal, page 3076), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

ASSEMBLY BILL NO. 1186 WITHDRAWN FROM ENROLLMENT

Assembly Member Strickland was granted unanimous consent that Assembly Bill No. 1186 be withdrawn from enrollment and that the bill be held at the Desk.

JOINT RULE 62(a) WAIVED

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

Judiciary, to hear Assembly Joint Resolution No. 49 and Senate Concurrent Resolution No. 47;

Budget, to hear Senate Bills Nos. 96 and 98;

Natural Resources, to hear Senate Bill No. 23.

RECESS

By unanimous consent, at 8:43 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Yee introduced Abbott Shi Yong Xin of the Songshan Shaolin Temple in the People's Republic of China and presented a resolution on the occasion of his visit to Sacramento, commending his shared spiritual and humanitarian leadership.

RECONVENED

At 8:44 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ADJOURN IN MEMORY

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bobby Bonds, of Riverside.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 8:48 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Shirley Horton introduced Kari Sutherland and presented a resolution commending her for winning four gold medals and one silver medal at the Special Olympic Games in Dublin, Ireland, and congratulated her on being ranked as the No. 1 female Special Olympic gymnast in the world.

RECONVENED

At 8:50 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

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 Evelyn Munoz, of Orange County.

(Assembly Rule 45.5 suspended.)

SECOND READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 40—Relative to youth involvement.

Resolution read; amendments proposed by the Committee on Education read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 954 to the Committee on Education.

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

ASSEMBLY BILL NO. 1263 (Benoit)—An act to amend Section 602 of the Penal Code, relating to trespass.

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1337 (Daucher)—An act to amend Section 56505.2 of the Education Code, relating to special 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—76

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

NOES—None

Above bill ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100 and 419 and Senate Bills Nos. 1041, 1043, and 27 were continued until Tuesday, September 2, 2003.

BILLS PLACED ON INACTIVE FILE

The following resolution was placed upon the inactive file:

Assembly Joint Resolution No. 11, on request of Assembly Member Jackson.

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

ASSEMBLY JOINT RESOLUTION NO. 46 (Shirley Horton)—Relative to congressional displays of child art.

Resolution read, and adopted by the following vote:

AYES—79

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

NOES—None

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 690 (Ashburn)—An act to amend Section 19605.52 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—74

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 122 (Escutia)—An act to add Sections 17204.6, 17204.7, 17204.8, and 17204.9 to the Business and Professions Code, relating to unfair competition.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

Amendments read.

Motion to Re-refer Pursuant to Assembly Rule 77.2

Assembly Member Cogdill moved that Senate Bill No. 122 be re-referred to the Committee on Judiciary, pursuant to Assembly Rule 77.2.

Motion Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion out of order as substantially amended bills are re-referred to committee pursuant to Assembly Rule 77.2 on the authority of the Speaker.

Strickland Motion to Re-refer Senate Bill No. 122 to Committee

Assembly Member Strickland moved that Senate Bill No. 122 be re-referred to the Committee on Judiciary.

Motion Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion out of order as Assembly Member Strickland spoke prior to making the motion.

Benoit Motion to Re-refer Senate Bill No. 122 to Committee

Assembly Member Benoit moved that Senate Bill No. 122 be re-referred to the Committee on Judiciary.

Assembly Member Mountjoy seconded the motion.

Parliamentary Inquiry

Assembly Member Reyes arose to the following parliamentary inquiry:

Are amendments to Senate Bill No. 122 not pending, and is not a motion to re-refer out of order until such amendments are adopted?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that a motion to re-refer a bill and proposed amendments is in order.

Parliamentary Inquiry

Assembly Member Goldberg arose to the following parliamentary inquiry:

Would the effect of a motion to re-refer Senate Bill No. 122 to committee at this time not kill the bill?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied in the affirmative; that a waiver of Joint Rule 61 would be required to hear the bill in policy committee.

Parliamentary Inquiry

Assembly Member Richman arose to the following parliamentary inquiry:

Upon adoption of amendments, can Senate Bill No. 122 be re-referred to the Committee on Judiciary pursuant to Assembly Rule 77.2 and subsequently reported to the Floor?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied in the affirmative.

Point of Information

Assembly Member Goldberg arose to the following point of information.

Were the proposed amendments by Assembly Member Corbett offered in compliance with the Rules?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied in the affirmative.

Further Consideration of Benoit Motion to Re-refer

The question being on the Benoit motion to re-refer Senate Bill No. 122 to the Committee on Judiciary.

Motion to re-refer lost by the following vote:

AYES—34

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

NOES—32

Berg	Dymally	Lieber	Pavley
Calderon	Goldberg	Longville	Ridley-Thomas
Chan	Hancock	Montanez	Simitian
Chavez	Horton, Shirley	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker

Further Consideration of Corbett Motion to Amend

The question being on the adoption of the Corbett amendments.

Amendments adopted by the following vote:

AYES—35

Berg	Goldberg	Longville	Ridley-Thomas
Bermudez	Hancock	Lowenthal	Salinas
Calderon	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wolk
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker
Frommer	Lieber	Pavley	

NOES—30

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

Bill ordered reprinted.

Request by Assembly Member Cogdill

Assembly Member Cogdill requested that the Speaker pro Tempore exercise her authority to re-refer Senate Bill No. 122 to the Committee on Judiciary, pursuant to Assembly Rule 77.2, whereupon the Speaker pro Tempore declined.

Pacheco Motion to Re-refer Senate Bill No. 122 to Committee

Assembly Member Pacheco moved that Senate Bill No. 122 be re-referred to the Committee on Judiciary.

Motion Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion out of order as the motion to re-refer has been previously made on this legislative day and the House has voted upon the question.

Motion to Appeal from the Decision of the Chair

Assembly Member Pacheco moved to appeal from the decision of the Chair that the question of re-referral of Senate Bill No. 122 has been decided by the House.

Motion to Appeal Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion for appeal from decision of the Chair out of order as the Chair had not ruled on a point of order and therefore there is no decision to appeal.

Pacheco Motion to Suspend Assembly Rule 77.2

Assembly Member Pacheco moved to suspend Assembly Rule 77.2 as it relates to Senate Bill No. 122.

Assembly Member Strickland seconded the motion.

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, 9:43 a.m.

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

SENATE BILL NO. 300 (Karnette)—An act to amend Sections 2912 and 5028 of, and to add Sections 2912.5 and 2912.7 to the Penal Code, relating to foreign prisoners.

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

Point of Order

Assembly Member Mountjoy arose to the following point of order.

Assembly Member Leno is reading a paper on the Floor of the Assembly.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order not well-taken; that no Member is out of order in referring to notes to assist in debate, and that reading is not excessive unless it impedes the business of the House.

Motion to Appeal from the Decision of the Chair

Assembly Member Mountjoy moved to appeal from the decision of the Chair that Assembly Member Leno was not reading on the Floor, in violation of the Rules.

Assembly Member La Suer seconded the motion.

The question being: Shall the decision of the Chair that Assembly Member Leno was not reading a paper on the Floor of the Assembly, in violation of the Rules, be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—14

Aghazarian	La Malfa	Nakanishi	Strickland
Bogh	La Suer	Plescia	Wyland
Dutton	Maddox	Runner	
Haynes	Mountjoy	Samuelian	

NOES—48

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

CAUCUS ANNOUNCEMENTS

At 9:53 a.m., Assembly Member Strickland was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 9:54 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 12:34 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 28, 2003

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

Assembly Bill No. 98

And reports the same correctly enrolled, and presented to the Governor on the 28th day of August, 2003, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

FURTHER CONSIDERATION OF SENATE BILL NO. 300

SENATE BILL NO. 300 (Karnette)—An act to amend Sections 2912 and 5028 of, and to add Sections 2912.5 and 2912.7 to the Penal Code, relating to foreign prisoners.

The question being on passage of the bill.

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, 12:55 p.m.

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

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Bill No. 937, on request of Assembly Member Mountjoy.

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

SENATE BILL NO. 294 (Soto)—An act to amend Sections 2850, 2851, 2852, 2853, 2854, 2855, and 17200 of, and to repeal Section 2856 of, the Probate Code, relating to conservators, guardians, and trustees.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

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

SENATE BILL NO. 739 (Ducheny)—An act to add and repeal Section 10553.3 of the Welfare and Institutions Code, relating to tribal health.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 752 (Alpert)—An act to amend Sections 853.5 and 853.6 of the Penal Code, and to amend Sections 40303, 40305, 40305.5, 40500, and 40504 of the Vehicle Code, relating to identification.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

BILLS REMOVED FROM SPECIAL CONSENT CALENDAR

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

Assembly Bill No. 820, on request of Assembly Member Goldberg.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 599 (Perata)—An act to add Section 851.90 to the Penal Code, relating to drug diversion.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

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

SENATE BILL NO. 363 (Figueroa)—An act to amend Sections 144, 473, 2307, 3740, 4980.34, 4980.40, 4980.41, 4980.50, 4980.54, 4980.80, 4984.4, 4996.1, 4996.6, 4996.17, 5801, 5810, 7069, 7607, 7631, 7632, 7649, 7706, 7725, 7887, 9653, 9719, 9768, 9788, and 22251 of, to add Sections 2029, 2488, and 9781.5 to, and to repeal and add Section 5811 of, the Business and Professions Code, and to amend Sections 7053 and 8277 of the Health and Safety Code, relating to professions and vocations, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—63

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

NOES—13

Bogh	Dutton	Maddox	Samuelian
Campbell	Garcia	Mountjoy	
Canciamilla	Haynes	Nakanishi	
Cox	Keene	Pacheco	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 907 (Burton)—An act to amend Sections 101, 144, 146, and 149 of, and to add and repeal Chapter 8.2 (commencing with Section 3610) of Division 2 of, the Business and Professions Code, and to amend Section 13401.5 of the Corporations Code, relating to the professions and vocations, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—62

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

NOES—9

Campbell	La Suer	Nakanishi
Cox	Matthews	Richman
Dutton	Mountjoy	Strickland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 140 (Denham)—An act to amend Section 51747.3 of, to amend, add, and repeal Section 48204 of, and to add Section 46601.5 to, the Education Code, relating to school attendance, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 85 (Torlakson)—An act to amend Section 31780.2 of the Government Code, relating to county employees' retirement.

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

Bill passed by the following vote:

AYES—44

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

NOES—27

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 85: Assembly Member Jerome Horton, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 78 (Torlakson)—An act to amend Sections 33350 and 60800 of the Education Code, relating to physical education.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

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

SENATE BILL NO. 183 (Sher)—An act to amend Section 25401.6 of, and to add Chapter 8.6 (commencing with Section 25740) to Division 15 of, the Public Resources Code, and to amend Sections 383.6, 394.25, and 399.8 of, and to repeal Sections 383.5, 383.7, 399.6, 399.8, and 445 of, the Public Utilities Code, relating to energy.

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

Bill passed by the following vote:

AYES—49

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

NOES—28

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
PACHECO MOTION TO SUSPEND ASSEMBLY RULE 77.2 AS IT RELATES TO
SENATE BILL NO. 122**

At 1:11 p.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 Pacheco motion to suspend Assembly Rule 77.2 as it relates to Senate Bill No. 122 lost by the following vote:

AYES—31

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

NOES—48

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

Bill ordered transmitted to the Senate.

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

SENATE BILL NO. 211 (Dunn)—An act to add Article 9 (commencing with Section 1569.880) to Chapter 3.2 of Division 2 of the Health and Safety Code, relating to care facilities.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 292 (Speier)—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

Motion to Amend

Assembly Member Bates moved the adoption of amendments.

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

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

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

Bill passed by the following vote:

AYES—75

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

NOES—2

Haynes Mountjoy

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:17 p.m., by unanimous consent, the members of the Committee on Judiciary 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 Judiciary

Date of Hearing: August 28, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 49

With the recommendation: Be adopted.

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

CORBETT, Chair

Above resolution ordered to second reading.

Date of Hearing: August 28, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Concurrent Resolution No. 47

With the recommendation: Be adopted.

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

CORBETT, Chair

Above resolution ordered to second reading.

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

SENATE BILL NO. 376 (Chesbro)—An act to amend Section 2401 of, and to add and repeal Section 2401.1 of, the Business and Professions Code, relating to healing arts.

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

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
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
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Nation	Wyland
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 464 (Murray)—An act to add Section 56341.2 to the Education Code, relating to special education.

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

Bill passed by the following vote:

AYES—72

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

NOES—3

Cox	Mountjoy	Strickland
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Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 464: Assembly Member Garcia, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 712 (Alpert)—An act to amend Sections 64201 and 64202 of the Education Code, relating to education.

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

Bill passed by the following vote:

AYES—70

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

NOES—6

Campbell	La Malfa	Mountjoy
Haynes	La Suer	Samuelian

Bill ordered transmitted to the Senate.

SENATE BILL NO. 774 (Vasconcellos)—An act to amend Sections 4140, 4142, 4145, and 4147 of, to add Sections 4142.2, 4142.4, 4142.6, and 4142.8 to, and to repeal Section 4146 of, the Business and Professions Code, and to amend Sections 11364 and 11364.5 of the Health and Safety Code, relating to hypodermic needles and syringes.

Bill read third time.

Motion to Amend

Assembly Member Nation moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—42

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

NOES—30

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

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

At 1:25 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

SENATE BILL NO. 801 (Vasconcellos)—An act to repeal and add Section 51220.3 to the Education Code, relating to instruction.

Bill read third time.

Motion to Amend

Assembly Member Hancock moved the adoption of amendments.

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

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

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

Bill passed by the following vote:

AYES—48

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

NOES—30

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

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 1:31 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Jerome Horton introduced Yosemite Park Rangers Tom Medema and Shelton Johnson and presented a resolution in celebration of the centennial anniversary of the “Buffalo Soldiers”, and in recognition of their invaluable contributions to preserving and administering California’s national parks.

Shelton Johnson then addressed the assemblage.

RECONVENED

At 1:33 p.m., the Assembly reconvened.

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

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

SENATE BILL NO. 851 (Committee on Public Safety)—An act to amend Section 44010 of the Education Code, to amend Section 917 of the Evidence Code, to amend Section 6250 of the Family Code, to amend Section 6254.24 of the Government Code, to amend Sections 11561 and 121070 of the Health and Safety Code, to amend Sections 171.5, 629.62, 633, 803, 830.31, 836, 847, 981, 1170.11, 1202.1, 1203.1abc, 1203.3, 3520, 11171, 12022.5, 12022.53, 13864, and 14309 of, and to repeal Section 13864 of, the Penal Code, to amend Sections 14601, 23109.2, and 35400 of, to amend and repeal Section 23249 of, and to repeal Section 23249.1 of, the Vehicle Code, and to amend Sections 355, 387, and 15763 of, and to amend and renumber Section 305.5 of, the Welfare and Institutions Code, relating to public safety.

Bill read third time.

Motion to Amend

Assembly Member Jackson moved the adoption of amendments.

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

SENATE BILL NO. 187 (Karnette)—An act to amend Sections 44279.2, 44325, 44326, 44328, 44386, and 44830.3 of the Education Code, relating to district interns, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

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, 1:35 p.m.

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

SENATE BILL NO. 619 (Ducheny)—An act to amend Sections 65008, 65589.5, and 65914 of, and to add Section 65589.4 to, the Government Code, to amend Sections 50650.4 and 50650.5 of the Health and Safety Code, and to amend Section 30604 of the Public Resources Code, relating to housing.

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

Bill passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 727 (Kuehl)—An act to amend Sections 4903 and 4904 of the Labor Code, and to amend Sections 140.5, 984, 1143, 2601, 2613, 2656, 2676, 2679, 2707.5, 2708, 2708.1, 2709, 2714, 3012, 3253, 3254, 3300, 3301, 3302, 3303, and 3305 of, to amend the heading of Chapter 7 (commencing with Section 3300) of Part 2 of Division 1 of, and to add Sections 3302.1, 3303.1, and 3306 to, the Unemployment Insurance Code, relating to disability compensation.

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

Bill passed by the following vote:

AYES—47

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

NOES—31

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

Bill ordered transmitted to the Senate.

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

ASSEMBLY BILL NO. 310 (Kehoe)—An act to add Sections 45061.5, 45168.5, 87834.5, and 88167.5 to the Education Code, relating to school employees.

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—47

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

NOES—26

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

Above bill ordered enrolled immediately.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1:42 p.m., by unanimous consent, the members of the Committee on Budget 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. 75 (Burton)—An act to amend Sections 1164, 1164.3, and 1164.12 of, and to repeal Section 1164.14 of, the Labor Code, relating to employment.

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

Bill passed by the following vote:

AYES—46

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

NOES—31

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 305 (Ducheny)—An act to amend Sections 18021.7, 50530.5, and 50545 of the Health and Safety Code, relating to housing.

Bill read third time.

Motion to Amend

Assembly Member Matthews moved the adoption of amendments.

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

SENATE BILL NO. 412 (Sher)—An act to amend Sections 3511, 4700, 5050, and 5515 of the Fish and Game Code, relating to fish and game.

Bill read third time.

Motion to Amend

Assembly Member Bermudez moved the adoption of amendments.

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

SENATE CONCURRENT RESOLUTION NO. 20 (Burton)—Relative to the Immigrant Workers Freedom Ride.

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

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 93 (Alpert)—An act to amend Sections 25350, 25350.60, and 25537 of the Government Code, relating to county real property.

Bill read third time.

Motion to Amend

Assembly Member Wyland moved the adoption of amendments.

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

SENATE BILL NO. 620 (Scott)—An act to amend Sections 787, 1725.5 10127.10, and 10509.8 of, and to add Sections 789.9, 789.10, 1724, and 1749.8 to, the Insurance Code, relating to insurance.

Bill read third time.

Motion to Amend

Assembly Member Vargas moved the adoption of amendments.

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

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

ASSEMBLY BILL NO. 305 (Mullin)—An act to amend Section 65915 of 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—46

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

NOES—31

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

Above bill ordered enrolled.

At 1:56 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 813 (Salinas)—An act to amend Sections 99246 and 99314.6 of, and to add, repeal, and add Section 99268.17 of, the Public Utilities Code, relating to 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—51

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

NOES—27

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

Above bill ordered enrolled.

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 412 to the Committee on Appropriations.

ASSEMBLY BILL NO. 97 REMOVED FROM SPECIAL CONSENT CALENDAR AND RE-REFERRED TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2

Speaker pro Tempore Kehoe removed Assembly Bill No. 97 from the Special Consent Calendar and re-referred the bill to the Committee on Education, pursuant to Assembly Rule 77.2.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1227

Assembly Member McCarthy was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1227; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 26, 2003 (Assembly Journal, page 3156); and whereby on August 21, 2003 (Assembly Journal, page 3073), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be placed upon the inactive file.

BILLS REMOVED FROM SPECIAL CONSENT CALENDAR

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

Assembly Bill No. 652, on request of Assembly Member Plescia.

BILL RETURNED TO SENATE

Assembly Member Diaz was granted unanimous consent that Assembly Bill No. 935 be returned to the Senate for further action.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 1061, on request of Assembly Member Chan.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 412 and 439 for hearing in the Committee on Appropriations on Friday, August 29, 2003.

BILL RETURNED TO SENATE

Assembly Member Oropeza was granted unanimous consent that Assembly Bill No. 1749 be returned to the Senate for further action.

(NOTE: Later this day, the action was rescinded whereby the above bill was ordered returned to the Senate. See page ____.)

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 104 (Lowenthal)—An act to add Section 1365.2 to the Civil Code, 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—74

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

NOES—1

Strickland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 245 (Cohn)—An act to add Section 243.83 to the Penal Code, relating to crimes.

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

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

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

AYES—72

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

NOES—4

Haynes	La Suer	Maze	Mountjoy
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Above bill ordered enrolled.

ASSEMBLY BILL NO. 852 (Lieber)—An act to add Section 1773.11 to the Labor Code, relating to prevailing wages.

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—47

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

NOES—28

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1034 (Mullin)—An act to amend Section 54988 of the Government Code, and to amend Sections 17958.8, 17980, 17980.1, 17991, and 17992 of, to amend and renumber Section 17980.8 of, and to add Sections 17960.10 and 17980.11 to, the Health and Safety 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—77

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

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1705 (Committee on Judiciary)—An act to add Section 16004.5 to the Probate Code, relating to trusts.

Bill presented by Assembly Member Corbett.

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	Parra
Bates	Dymally	Lieber	Pavley
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
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Nation	Wyland
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	

NOES—None

Above bill ordered enrolled.

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

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

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

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

AYES—73

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

NOES—4

Goldberg	Hancock	Lieber	Wiggins
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Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1537: Assembly Members Goldberg, Hancock, and Wiggins, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 928 (Pacheco)—An act to amend Section 499b of the Penal Code, relating to vessels.

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

NOES—None

Above bill ordered enrolled.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 2:11 p.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. 1740 (Committee on Revenue and Taxation)—An act to amend Sections 17041, 17052.6, 17301.3, 17302, and 19131 of, and to add Section 19136.11 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill presented by Assembly Member Chavez.

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 Chan moved a call of the Assembly.

Motion carried. Time, 2:13 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. 179 (Alarcon)—An act to add Section 2810 to the Labor Code, relating to contracts for labor or services.

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

Bill passed by the following vote:

AYES—45

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

NOES—32

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 179: Assembly Member Liu, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate immediately.

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

ASSEMBLY BILL NO. 171 (Cohn)—An act to amend Sections 6276.24 and 54956.87 of the Government Code, to amend Sections 14087.31, 14087.35, 14087.36, and 14087.38 of the Welfare and Institutions Code, and to repeal Section 7 of Chapter 642 of the Statutes of 1994, relating to public records and meetings.

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	Parra
Bates	Dymally	Lieber	Pavley
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
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Nation	Wyland
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 179 (Chan)—An act to amend Sections 130110 and 130150 of the Health and Safety 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 Chan moved a call of the Assembly.

Motion carried. Time, 2:29 p.m.

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

ASSEMBLY BILL NO. 186 (Correa)—An act to amend Sections 4059, 4060, and 4061 of the Business and Professions Code, and to amend Sections 11250 and 11251 of the Health and Safety Code, relating to optometrists.

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

NOES—2

Nakanishi Reyes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 202 (Corbett)—An act to add Chapter 6 (commencing with Section 122320) to Part 6 of Division 105 of the Health and Safety Code, relating to birds.

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

NOES—25

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 529 (Mullin)—An act to amend Sections 1597.44 and 1597.465 of the Health and Safety Code, relating to care 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—76

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1022 (Oropeza)—An act to amend Sections 21455.5, 21455.6, and 21455.7 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.)

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

AYES—75

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1064 (Laird)—An act to amend Section 125550 of, and to add Sections 99159 and 120523 to, the Public Utilities Code, and to add Section 27512 to the Streets and Highways Code, relating to public transit district pension 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—47

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

NOES—30

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1349 (Canciamilla)—An act to amend Section 21350 of the Probate Code, relating to wills and trusts.

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—68

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

NOES—2

Haynes Houston

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1584 (Committee on Public Employees, Retirement and Social Security)—An act to amend Sections 20057, 20161, 20501, 20585, 20588, 20590, 20610, 20611, 20752, 20816, 20890.2, 20907, 21013, 21220, 21571, 21572, 21661, 21663, 22009.03, 22009.1, 22013.7, 22013.78, 22018, 22156, 22502, 22754, and 22825 of, to add Sections 20672.5, 21220.5, and 22817.5 to, to repeal Sections 20677.1, 20732, 21253, 21431, and 22216 of, to repeal Chapter 10 (commencing with Section 20860) of Part 3 of Division 5 of Title 2 of, and to repeal and add Section 21252 of, the Government Code, relating to the Public Employees’ Retirement System, and making an appropriation therefor.

Bill presented by Assembly Member Negrete McLeod.

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

NOES—30

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1585 (Committee on Public Employees, Retirement and Social Security)—An act to amend Sections 31452, 31510.2, 31529.9, 31597, 31597.1, 31899, 31899.1, and 31899.2 of, to amend the heading of Chapter 3.9 (commencing with Section 31899) of Part 3 of Division 4 of Title 3 of, to amend and renumber Sections 31899.7, 31899.8, 31899.9, and 31899.10 of, to amend, renumber, and add Section 31899.4 of, to add Section 31603 to, to repeal Section 31899.6 of, and to repeal and add Section 31899.5 of, the Government Code, relating to county employees' retirement systems.

Bill presented by Assembly Member Negrete McLeod.

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1708 (Committee on Judiciary)—An act to amend Sections 6031.5, 6065, 6086.10, 6140, 6140.5, 6141.1, 6145, and 6234 of, and to add Section 6086.16 to, the Business and Professions Code, relating to attorneys.

Bill presented by Assembly Member Corbett.

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

NOES—16

Bogh	Dutton	Leslie	Runner
Campbell	Haynes	Maze	Samuelian
Canciamilla	La Malfa	McCarthy	Strickland
Cox	La Suer	Mountjoy	Wyland

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY JOINT RESOLUTION NO. 48 (Liu)—Relative to Women's Equality Day.

Resolution read, and adopted by the following vote:

AYES—73

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

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 124 (Firebaugh)—Relative to Educational Opportunity Programs Month.

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

AYES—77

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

NOES—None

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 137 (Liu)—Relative to literacy.

Resolution read, and adopted by the following vote:

AYES—76

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

NOES—None

Resolution ordered transmitted to the Senate immediately.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 197, on request of Assembly Member Oropeza.

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

SENATE BILL NO. 625 (Committee on Public Employment and Retirement)—An act to amend Section 20090.1 of the Government Code, relating to the Public Employees' Retirement System.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Bill passed by the following vote:

AYES—74

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

NOES—2

Campbell Spitzer

Bill ordered transmitted to the Senate.

SENATE BILL NO. 642 (Hollingsworth)—An act to amend Section 485 of the Food and Agricultural Code, relating to quarantines.

Bill read third time.

Motion to Amend by Assembly Member Haynes

Assembly Member Haynes moved the adoption of amendments.

Amendments read.

**Motion to Table Haynes Amendments
to Senate Bill No. 642**

Assembly Member Chan moved that the amendments offered by Assembly Member Haynes to Senate Bill No. 642 be laid upon the table.

Assembly Member Goldberg seconded the motion:

Motion carried by the following vote:

AYES—47

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

NOES—28

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

(NOTE: Later this day, the action was rescinded whereby the motion to table Haynes amendments to Senate Bill No. 642 was made, and carried. See page ____.)

ORDERS OF THE DAY DEMANDED

Assembly Member Strickland demanded the Orders of the Day.

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

SENATE BILL NO. 795 (Karnette)—An act to amend Sections 2557 and 2558 of, and to add Section 2551.6 to, the Streets and Highways Code, and to amend Sections 2421.5, 2430.1, 2430.2, 2435, and 2436 of, and to repeal Sections 2437, 2438, 2439, and 2440 of, the Vehicle Code, relating to streets and highways.

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

Bill passed by the following vote:

AYES—53

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

NOES—23

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

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes announced that he would withhold unanimous consent on all requests to pass and retain bills for the remainder of this day.

ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING

Speaker pro Tempore Kehoe announced that the Workers' Compensation Conference Committee would meet at 3 p.m., in Room 4202.

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

SENATE BILL NO. 443 (Figueroa)—An act to amend Section 7028 of the Business and Professions Code relating to contractors.

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

Bill passed by the following vote:

AYES—70

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

NOES—4

Dutton	Goldberg	Haynes	Mountjoy
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Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes announced that he would withhold unanimous consent on all requests requiring unanimous consent of the Body for the remainder of this day.

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

Pursuant to Assembly Rule 78, Assembly Member Oropeza announced her intention to request that Senate Bill No. 494 be removed from the inactive file.

RECESS

By unanimous consent, at 3:12 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 3:53 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

DEMAND FOR ORDERS OF THE DAY WITHDRAWN

Assembly Member Strickland withdrew his demand for the Orders of the Day.

HAYNES OBJECTION WITHDRAWN

Assembly Member Haynes withdrew his objection to any requests requiring unanimous consent of the Body.

ACTION RESCINDED ON SENATE BILL NO. 642—HAYNES AMENDMENTS

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page ____), the motion was made and carried to lay the Haynes amendments to Senate Bill No. 642 on the table.

SENATE BILL NO. 642 (Hollingsworth)—An act to amend Section 485 of the Food and Agricultural Code, relating to quarantines.

Bill read third time.

Motion to Amend by Assembly Member Haynes

Assembly Member Haynes moved the adoption of amendments.

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

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

ASSEMBLY BILL NO. 1402 (Wolk)—An act to amend Section 11265.3 of the Welfare and Institutions Code, and to amend Section 71 of Chapter 1022 of the Statutes of 2002, relating to CalWORKs.

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

NOES—26

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1409 (Wolk)—An act to amend Section 35400 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.)

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

AYES—60

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

NOES—11

Benoit	Houston	Leslie	Samuelian
Campbell	Keene	Mountjoy	Wyland
Cogdill	La Suer	Pacheco	

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 591 (Scott)—An act to amend Sections 358, 358.1, 361.3, 16002, and 16501.1 of, and to add Sections 16010.4, 16010.5, 16010.6, and 16503.5 to, the Welfare and Institutions Code, relating to dependent children.

Bill read third time.

Motion to Amend

Assembly Member Wolk moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—72

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

NOES—1

Mountjoy

Bill ordered reprinted.

SENATE BILL NO. 200 (Murray)—An act to add and repeal Section 10233.1 of the Insurance Code, relating to long-term care insurance.

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

Bill passed by the following vote:

AYES—55

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

NOES—19

Aghazarian	Harman	La Suer	Runner
Benoit	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 200: Assembly Member Dutton, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1544 (Simitian)—An act to add Section 4004 to the Elections Code, relating to elections.

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

NOES—28

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

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

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

Bill read third time.

Motion to Amend

Assembly Member Jackson moved the adoption of amendments.

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

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1287 (Lieber)—An act to amend Section 798.71 of, and to add Section 798.74.5 to, the Civil Code, relating to mobilehomes.

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

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

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

AYES—72

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

NOES—1

Campbell

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 54 (Dunn)—An act to amend Sections 18300, 18610.5, 18865, and 18872.1 of, and to add Section 18407 to, the Health and Safety Code, relating to mobilehomes.

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

Bill passed by the following vote:

AYES—52

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

NOES—22

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

Bill ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Bermudez announced his intention to request that Senate Bill No. 84 be removed from the inactive file.

**ASSEMBLY BILL NO. 313
REMOVED FROM SPECIAL CONSENT CALENDAR AND
RETURNED TO THE SENATE**

Assembly Member Dutra was granted unanimous consent that Assembly Bill No. 313 be removed from the Special Consent Calendar and returned to the Senate for further action.

CONSIDERATION OF SENATE BILL NO. 93 BY UNANIMOUS CONSENT

Assembly Member Wyland was granted unanimous consent to take up Senate Bill No. 93 without reference to file, for purpose of consideration.

SENATE BILL NO. 93 (Alpert)—An act to amend Sections 25350, 25350.60, and 25537 of the Government Code, relating to county real property.

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

Bill passed by the following vote:

AYES—74

Aghazarian	Dutra	Levine	Pavley
Bates	Dutton	Lieber	Reyes
Benoit	Dymally	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	Houston	Mountjoy	Strickland
Chu	Jackson	Mullin	Vargas
Cogdill	Keene	Nakanishi	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	La Malfa	Nation	Wyland
Correa	La Suer	Negrete McLeod	Yee
Cox	Laird	Nunez	Mr. Speaker
Daucher	Leno	Pacheco	
Diaz	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 114 (Leslie)—Relative to Invasive Weeds Awareness Week.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 117 (Pacheco)—Relative to celebrating the 45th anniversary of NASA.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 130 (Longville)—Relative to Railroad Safety Week.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 127 (Steinberg)—Relative to foster care.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 128 (Corbett)—Relative to juvenile courts.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 129 (Lieber)—Relative to Myositis Awareness Day.

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

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

ASSEMBLY JOINT RESOLUTION NO. 40 (Plescia)—Relative to Chaldeans in Iraq.

Resolution read, and adopted by the following vote:

AYES—74

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Joint Resolution No. 40: Assembly Member Goldberg, from "Aye" to "Not Voting".

Resolution ordered transmitted to the Senate.

Consent Calendar—Senate Bills

SENATE CONCURRENT RESOLUTION NO. 5 (Scott)—Relative to visual and performing arts education.

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

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

SENATE CONCURRENT RESOLUTION NO. 36 (Knight)—Relative to the centennial anniversary of flight.

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

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

SENATE BILL NO. 112 (Speier)—An act to amend Section 7152.7 of the Health and Safety Code, and to amend Section 1672 of, and to amend and repeal Sections 12811 and 13005 of, the Vehicle Code, relating to organ and tissue donation.

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

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

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

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

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

SENATE BILL NO. 271 (Soto)—An act to amend Sections 20572, 20574, 20576, 20577, 20578, and 20581 of, and to add Section 20577.5 to, the Government Code, relating to public employees' retirement, and making an appropriation therefor.

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

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

SENATE BILL NO. 285 (Speier)—An act to amend, repeal, and add Section 18533 of the Revenue and Taxation Code, relating to taxation.

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

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

SENATE BILL NO. 302 (Kuehl)—An act to amend Section 11135 of the Government Code, relating to discrimination.

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

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

SENATE BILL NO. 530 (Johnson)—An act to amend Section 86109.5 of the Government Code, relating to lobbying.

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

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

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

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

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

SENATE BILL NO. 607 (Aanestad)—An act to amend Section 14509.4 of the Public Resources Code, relating to beverage container recycling.

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

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

SENATE BILL NO. 624 (Committee on Public Employment and Retirement)—An act to amend Section 19826 of, and to repeal Sections 19994.20 and 19996.40 of, the Government Code, relating to state personnel administration.

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

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

SENATE BILL NO. 798 (Cedillo)—An act to amend Section 1351.2 of the Health and Safety Code, relating to health care service plans.

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

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

SENATE BILL NO. 1032 (Murray)—An act to add Section 653z to the Penal Code, relating to crime.

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

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

SENATE BILL NO. 1059 (Committee on Revenue and Taxation)—An act to amend Section 6105 of the Commercial Code, and to amend Sections 72, 220.5, 531.9, 533, and 1610.8 of, and to add Sections 256.6, 256.7, and 276.5 to, the Revenue and Taxation Code, relating to property taxation.

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

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

SENATE BILL NO. 1062 (Committee on Revenue and Taxation)—An act to amend Sections 51203 and 51283 of the Government Code, and to amend Sections 69.4, 75.11, 75.31, 155, 194, 213.7, 214, 214.01, 214.8, 218, 231, 254.5, 259.5, 259.7, 272, 423, 439.2, 532, 534, 1609.5, 1841, 6066.3, 6066.4, and 11006 of, to add Sections 74.7 and 254.6 to, and to repeal Sections 75.30, 401.9, 5098, and 5098.5 of, the Revenue and Taxation Code, relating to taxation.

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

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

SENATE BILL NO. 1081 (Committee on Health and Human Services)—An act to amend Sections 1603.1, 1603.2, 1603.3, 1603.4, 1621.5, and 120990 of the Health and Safety Code, relating to human blood.

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

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

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

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

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

SENATE BILL NO. 826 (Ashburn)—An act to add and repeal Section 42283.6 of the Education Code, relating to the Hot Springs Elementary School District.

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

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

Consent Calendar Roll Call

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

AYES—75

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

NOES—None

CONSIDERATION OF SPECIAL CONSENT CALENDAR

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

Consideration of Senate Amendments to Assembly Bills

ASSEMBLY BILL NO. 218 (Simitian)—An act to add Section 65584.1 to the Government Code, relating to local planning.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 255 (Jerome Horton)—An act to add Section 18304 to the Elections Code, and to repeal Section 25004.5 of the Government Code, relating to elections.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 479 (Maldonado)—An act to amend Sections 17209.3, 17312, 17314, 17321, 17331, and 17331.2 of the Financial Code, relating to escrow agents.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 768 (Leno)—An act to amend Section 16 of, to add Sections 4.5 and 9.5 to, and to repeal and add Section 2 of, Chapter 464 of the Statutes of 2002, relating to the Hunters Point Shipyard.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

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

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 936 (Reyes)—An act to amend Section 602 of the Penal Code, relating to baby stalking.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1045 (Leslie)—An act to amend Sections 114260 and 114265 of the Health and Safety Code, relating to mobile food facilities.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1384 (Maddox)—An act to amend Section 1950.5 of the Civil Code, relating to tenancy.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1712 (Committee on Judiciary)—An act to amend Section 17511.12 of the Business and Professions Code, to amend Sections 798.61 and 1780 of the Civil Code, to amend Sections 116.130, 116.530, 198.5, 393, 415.50, 1141.10, 1141.11, 1141.12, 1141.16, 1141.18, 1141.24, and 1161.2 of the Code of Civil Procedure, to amend Section 48295 of the Education Code, to amend Sections 12150 and 12151 of the Fish and Game Code, to amend Sections 68097, 68097.1, and 68097.2 of the Government Code, to amend Sections 664 and 667 of the Harbors and Navigation Code, to amend Sections 108580, 110375, 111880, 111895, 117070, and 117120 of the Health and Safety Code, to amend Section 6436 of the Labor Code, to amend Sections 1035, 1038, and 1462.2 of, and to repeal Sections 1034 and 1039 of, the Penal Code, to amend Section 5560 of the Public Resources Code, and to amend Section 310 of the Water Code, relating to courts.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 13 (Harman)—An act to add Section 118.7 to the Streets and Highways Code, relating to the Department of Transportation.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 172 (Nakanishi)—An act to amend Section 30061 of the Government Code, relating to law enforcement.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 188 (Maze)—An act to amend Sections 3100, 3101, 3103, 3104, 3106, 3108, 3110, 3201, 3203, 3206, 3303, 3304, 3305, 3307, and 3308 of, and to repeal Sections 3105, 3306, and 3309 of, the Elections Code, relating to absentee voters.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 213 (Leslie)—An act to add Section 9951 to the Vehicle Code, relating to vehicles.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 284 (Chavez)—An act to amend Sections 10168.1 and 10168.2 of, and to add Sections 10168.25 and 10168.92 to, the Insurance Code, relating to annuities.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 390 (Montanez)—An act to add and repeal Section 41514.1 of the Health and Safety Code, relating to air resources.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 506 (Maze)—An act to amend Section 13823.11 of the Penal Code, relating to sexual assault victims.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 767 (Nakano)—An act to amend Section 798.56 of the Civil Code, relating to mobilehomes.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 943 (Chavez)—An act to amend Section 12640.04 of the Insurance Code, relating to mortgage guaranty insurance.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1014 (Canciamilla)—An act to add Section 525.5 to the Harbors and Navigation Code, relating to vessels.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1180 (Harman)—An act to amend, repeal, and add Section 209 of the Code of Civil Procedure, relating to jurors.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1214 (Firebaugh)—An act to add and repeal Section 2827.10 of the Public Utilities Code, relating to energy resources.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1348 (Lowenthal)—An act to amend Sections 25200.19, 25250.1, 25250.7, and 25250.9 of, and to add Sections 25160.4 and 25160.6 to, the Health and Safety Code, relating to hazardous waste.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1368 (Kehoe)—An act to add Section 16724.4 to the Government Code, relating to bonds.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1382 (Correa)—An act to amend Sections 7071.17, 7085.5, 7085.6, 7090.1, 7099.2, 7121, 7122.1, and 7143 of the Business and Professions Code, relating to contractors.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1717 (Committee on Transportation)—An act to amend Sections 8879.1, 14070.4, 14076.4, 14524.2, and 65082 of, and to repeal Sections 8879.17 and 14524.15 of, the Government Code, to amend Sections 21602, 21702, 21704, 21707, and 102015 of, and to repeal Section 21604 of, and Chapter 3.5 (commencing with Section 21501) of Division 9 of, the Public Utilities Code, and to amend Sections 72.1, 164.6, 188.5, 339, 354, 373, 390, 391, 407, 410, 411, 426, 460, and 820 of, and to repeal Sections 180.10, 391.1, 391.3, 401.1, 407.1, 411.5, and 509 of, the Streets and Highways Code, relating to transportation.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1724 (Committee on Agriculture)—An act to amend Section 8617 of the Business and Professions Code, and to amend Sections 11732 and 13000 of the Food and Agricultural Code, relating to pesticides.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 1735 (Committee on Utilities and Commerce)—An act to add Sections 1701.5 and 1701.6 to the Public Utilities Code, relating to public utilities.

The Assembly concurred in the above Senate amendments; bill ordered enrolled.

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

ASSEMBLY BILL NO. 424 (Richman)—An act to add and repeal Sections 45272.5 and 45277.5 of the Education Code, relating to school employees.

The Assembly concurred in the above Senate amendments by the following vote:

AYES—74

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 668 (Cox)—An act to amend Section 65584 of the Government Code, relating to local planning.

The Assembly concurred in the above Senate amendments by the following vote:

AYES—74

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

NOES—None

Above bill ordered enrolled.

Special Consent Calendar Roll Call

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

AYES—75

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

NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 300**

At 4:16 p.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.

Senate Bill No. 300 refused passage by the following vote:

AYES—33

Berg	Jackson	Matthews	Steinberg
Chan	Koretz	Montanez	Vargas
Chavez	Laird	Mullin	Wiggins
Chu	Leno	Nation	Wolk
Corbett	Levine	Negrete McLeod	Yee
Dutra	Lieber	Nunez	Mr. Speaker
Dymally	Liu	Oropeza	
Goldberg	Longville	Ridley-Thomas	
Hancock	Lowenthal	Simitian	

NOES—36

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 300: Assembly Member Frommer, from "Aye" to "Not Voting".

**Motion to Reconsider Senate Bill No. 300
on Next Legislative Day**

Assembly Member Leno moved to reconsider on the next legislative day the vote whereby Senate Bill No. 300 was this day refused passage. Senate Bill No. 300 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 187**

At 4:17 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 urgency clause to Senate Bill No. 187 refused adoption by the following vote:

AYES—48

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

NOES—None

**Motion to Reconsider Senate Bill No. 187
on Next Legislative Day**

Assembly Member Goldberg moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 187 was this day refused adoption.

Senate Bill No. 187 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1740**

At 4:17 p.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. 1740 by the following vote:

AYES—47

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

NOES—None

**Motion to Reconsider Assembly Bill No. 1740
on Next Legislative Day**

Assembly Member Chavez moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 1740 were this day refused concurrence.

Assembly Bill No. 1740 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 179**

At 4:18 p.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.

Record Expunged and Action Rescinded on Assembly Bill No. 179

Assembly Member Chan 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. 179, and that the bill be passed on file, to retain its place on file.

ACTION RESCINDED ON ASSEMBLY BILL NO. 1749

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page ____), Assembly Bill No. 1749, was ordered returned to the Senate.

ADJOURN IN MEMORY

Assembly Member Pacheco was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Jim Thalman, Mayor of Chino Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Benoit and Haynes were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of CHP Officer Shannon Distel, of Murrieta.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Rubenfeld, of San Fernando Valley.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced the following session schedule:

Friday, August 29, 2003, Check-in Session, 6 a.m.–3 p.m.

Tuesday, September 2, 2003, Floor Session, noon.

ADJOURN IN MEMORY

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Supervisor David Klipp, of Trinity County.

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Madeline “Madge” Basuino, of San Leandro.

Assembly Member Laird was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lt. Kylan Alexander Jones-Huffman, formerly from Aptos.

Assembly Member Nation was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Captain Kevin Norman, of Sonoma.

VOTE ADDS

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

Assembly Bill No. 1263, Concurrence: Bermudez, Bogh, Canciamilla, Chavez, Frommer, Haynes, Jerome Horton, Houston, Levine, Lieber, Longville, Maddox, Montanez, Nation, Pacheco, Ridley-Thomas, Samuelian, Simitian, Wiggins, and Wyland—Aye.

Assembly Bill No. 1337, Concurrence: Bogh, Canciamilla, Correa, Frommer, Goldberg, Jerome Horton, Houston, Levine, Maddox, Ridley-Thomas, Simitian, Wiggins, and Wyland—Aye.

Assembly Joint Resolution No. 46: Bermudez, Bogh, Canciamilla, Daucher, Frommer, Jerome Horton, Levine, Matthews, Nakano, Ridley-Thomas, Simitian, Wiggins, and Wyland—Aye.

Senate Bill No. 690: Bogh, Canciamilla, Frommer, Garcia, Jerome Horton, Levine, Ridley-Thomas, Simitian, Wiggins, and Wyland—Aye.

Senate Bill No. 122, Benoit Motion to Re-refer: Bogh, Frommer, and Wyland—Aye; Correa and Ridley-Thomas—No.

Senate Bill No. 122, Corbett Amendments: Ridley-Thomas—Aye; Wyland—No.

Senate Bill No. 300, Mountjoy Motion to Appeal Decision from Chair: Aghazarian, Bogh, Dutton, Nakanishi, Runner, Strickland, and Wyland—Aye; Correa, Garcia, Houston, Pacheco, and Ridley-Thomas—No.

Senate Bill No. 739: Haynes, Houston, Nakano, Ridley-Thomas, and Strickland—Aye.

Senate Bill No. 752: Haynes, Houston, Ridley-Thomas, and Strickland—Aye.

Senate Bill No. 363: Aghazarian, Bates, Benoit, Chu, Shirley Horton, Houston, Matthews, Montanez, Nakano, Ridley-Thomas, Runner, Spitzer, Strickland, and Wyland—Aye; Haynes—No.

Senate Bill No. 907: Garcia, Ridley-Thomas, and Spitzer—Aye; La Suer and Strickland—No.

Senate Bill No. 140 and Urgency: Nakanishi, Pavley, Ridley-Thomas, Steinberg, and Strickland—Aye.

Senate Bill No. 85: Frommer and Ridley-Thomas—Aye; Garcia and Strickland—No.

Senate Bill No. 183: Ridley-Thomas—Aye; Daucher, Maldonado, and Strickland—No.

Senate Bill No. 122, Pacheco Motion to Suspend Rules: Ridley-Thomas—No.

Senate Bill No. 211: Correa, Garcia, Ridley-Thomas, and Strickland—Aye.

Senate Bill No. 361: Correa, Garcia, Ridley-Thomas, and Strickland—Aye.

Senate Bill No. 376: Correa, Garcia, Nakanishi, Ridley-Thomas, and Strickland—Aye.

Senate Bill No. 464: Correa, Lieber, Liu, Maddox, Nakanishi, Oropeza, Pacheco, and Ridley-Thomas—Aye; Strickland—No.

Senate Bill No. 712: Chan, Correa, Dutton, Keene, McCarthy, Nakanishi, Nunez, Ridley-Thomas, Strickland, and Vargas—Aye.

Senate Bill No. 774, Nation Amendments: Ridley-Thomas, Simitian, and Wolk—Aye; Correa and Strickland—No.

Senate Bill No. 189: Correa, Nakano, and Ridley-Thomas—Aye; Garcia, Maldonado, and Strickland—No.

Senate Bill No. 619: Chan, Cohn, Diaz, Harman, Jerome Horton, Jackson, Keene, Leslie, Nunez, Ridley-Thomas, Simitian, Strickland, and Vargas—Aye.

Senate Bill No. 727: Correa and Ridley-Thomas—Aye.

Assembly Bill No. 310, Concurrence: Correa and Ridley-Thomas—Aye.

Senate Bill No. 75: Leno, Lowenthal, Nation, and Ridley-Thomas—Aye; Daucher, Haynes, and Maldonado—No.

Assembly Bill No. 305, Concurrence: Correa, Koretz, and Simitian—Aye; Campbell, Daucher, Dutton, Garcia, Harman, Haynes, Maldonado, and Maze—No.

Assembly Bill No. 813, Concurrence: Chu, Correa, Shirley Horton, Maldonado, Montanez, and Nunez—Aye; Campbell, Daucher, Dutton, and Haynes—No.

Assembly Bill No. 104, Concurrence: Bates, Benoit, Campbell, Correa, Daucher, Dutton, Haynes, and Mountjoy—Aye.

Assembly Bill No. 245, Concurrence: Bates, Benoit, Campbell, Correa, Shirley Horton, McCarthy, and Runner—Aye; Haynes—No.

Assembly Bill No. 852, Concurrence: Correa—Aye; Bates, Benoit, Campbell, Haynes, Shirley Horton, and Maldonado—No.

Assembly Bill No. 1034, Concurrence: Bates, Campbell, Correa, and Shirley Horton—Aye; Haynes—No.

Assembly Bill No. 1705, Concurrence: Campbell, Correa, Haynes, and Liu—Aye.

Assembly Bill No. 1537, Concurrence: Campbell, Correa, Haynes, and Lowenthal—Aye; Lieber—No.

Assembly Bill No. 928, Concurrence: Chavez and Correa—Aye.

Senate Bill No. 179: Correa—Aye.

Assembly Bill No. 171, Concurrence: Correa, Haynes, and Shirley Horton—Aye.

Assembly Bill No. 186, Concurrence: Benoit, Dutton, Haynes, and Pacheco—Aye.

Assembly Bill No. 202, Concurrence: Nunez—Aye; Benoit and Haynes—No.

Assembly Bill No. 529, Concurrence: Haynes and Nunez—Aye.

Assembly Bill No. 1022, Concurrence: Haynes and Mountjoy—Aye.

Assembly Bill No. 1064, Concurrence: Haynes and Mountjoy—No.

Assembly Bill No. 1349, Concurrence: Correa, Keene, Mountjoy, and Nunez—Aye; Haynes—No.

Assembly Bill No. 1584, Concurrence: Correa, Garcia, Haynes, Keene, Maldonado, and Wyland—No.

Assembly Bill No. 1585, Concurrence: Haynes—Aye.

Assembly Bill No. 1708, Concurrence: Dutton and Haynes—No.

Assembly Joint Resolution No. 48: Correa, Haynes, Koretz, and Pacheco—Aye.

Assembly Concurrent Resolution No. 124: Haynes—Aye.

Assembly Concurrent Resolution No. 137: Haynes—Aye.

Senate Bill No. 625: Canciamilla and Haynes—Aye; Campbell—No.

Senate Bill No. 642, Chan Motion to Table Haynes Amendments: Bates and Berg—Aye.

Senate Bill No. 795: Berg, Canciamilla, and Garcia—Aye; Runner—No.

Senate Bill No. 443: Bates, Corbett, and Wolk—Aye.

Assembly Bill No. 1402, Concurrence: Nunez and Wolk—Aye; Campbell and Daucher—No.

Assembly Bill No. 1409, Concurrence: Bates, Daucher, and McCarthy—Aye; Campbell, Houston, and Wyland—No.

Senate Bill No. 591, Wolk Amendments: Campbell, Houston, and Longville—Aye.

Senate Bill No. 200: Daucher and Garcia—Aye; Campbell and Houston—No.

Assembly Bill No. 1544, Concurrence: Chu and Montanez—Aye; Campbell—No.

Assembly Bill No. 1287, Concurrence: Pacheco—Aye; Campbell—No.

Senate Bill No. 54: Campbell, Pacheco, and Wyland—No.

Senate Bill No. 93: Campbell, Chu, and Montanez—Aye.

Consent Calendar: Campbell—Aye.

Special Consent Calendar: Campbell—Aye.

Senate Bill No. 300: Strickland—No.

MOTION TO ADJOURN

At 4:24 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:24 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 28, 2003

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

Assembly Bill No. 852

Assembly Bill No. 1708

And reports the same correctly enrolled, and presented to the Governor on the 28th day of August, 2003, at 4:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 4:24 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 6 a.m., Friday, August 29, 2003, out of respect to the memory of Bobby Bonds, on motion of Assembly Member Benoit; out of respect to the memory of Evelyn Munoz, on motion of Assembly Member Correa; out of respect to the memory of CHP Officer Shannon Distel, on motion of Assembly Members Benoit and Haynes; out of respect to the memory of Michael Rubenfeld, on motion of Assembly Member Levine; out of respect to the memory of Captain Kevin Norman, on motion of Assembly Member Nation; out of respect to the memory of Supervisor David Klipp, on motion of Assembly Member Berg; out of respect to the memory of Lt. Kylan Alexander Jones-Huffman, on motion of Assembly Member Laird; out of respect to the memory of Madeline "Madge" Basuino, on motion of Assembly Member Corbett; and out of respect to the memory of Mayor Jim Thalman, on motion of Assembly Member Pacheco.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 28, 2003**

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

AB RN
1784 0318720

SB RN
65 0318253
78 0318215
93 0316806
122 0318286
292 0318319
294 0318122
305 0318355
412 0318393
591 0318022
599 0318034
620 0317948
642 0318046
774 0318406
801 0317911
851 0317299

SCR RN
40 0317550

Daily Total: 17
Cumulative Total: 2651

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