

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, September 29, 2003

**ONE HUNDRED THIRTIETH SESSION DAY
THREE HUNDRED SECOND CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Monday, September 29, 2003

At 11 a.m., pursuant to the provisions of Assembly Rules 2 and 26(a), the Assembly convened in session upon Call of Speaker Wesson.

(See Assembly Journal, page 3959.)

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 Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 11:01 a.m.

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

Quorum Present

At 11:05 a.m., Speaker pro Tempore Kehoe declared a quorum of the Assembly present.

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

| | | | |
|-------------|-----------------|----------------|---------------|
| Aghazarian | Dutton | Levine | Parra * |
| Bates * | Dymally | Lieber | Plescia |
| Benoit | Firebaugh | Liu | Reyes |
| Berg | Frommer | Longville | Richman |
| Bermudez | Garcia | Lowenthal | Ridley-Thomas |
| Bogh | Goldberg | Maddox | Runner |
| Calderon | Harman | Maldonado | Salinas |
| Campbell | Haynes | Matthews | Samuelian |
| Canciamilla | Horton, Jerome | Maze | Simitian |
| Chan | Horton, Shirley | McCarthy | Spitzer * |
| Chavez | Houston | Montanez | Steinberg |
| Chu | Jackson | Mountjoy | Strickland |
| Cogdill | Keene | Mullin | Vargas |
| Cohn | Kehoe | Nakanishi | 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 | |

*(NOTE: See communications relative to per diem later this day.)

PRAYER

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

O God, You have spoken to us Your divine and saving words. Illumine our souls to comprehend Your divine revelation, that we do not appear simply as hearers of Your spiritual words, but doers of good deeds. Help us to become true pursuers of faith, having a blameless life, and conduct without reproach. Lord, we bless and glorify You forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

MOTION TO DISPENSE WITH READING OF THE JOURNAL

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

LEAVES OF ABSENCE FOR THE DAY

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

On personal business, and waiving per diem: Assembly Members Hancock and Pavley.

COMMUNICATIONS

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

September 24, 2003

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

RE: Appointment of Gerald Sallus
to Delivery and Provision of Emergency Medical Services
Task Force

Dear Mr. Wilson: Please be advised I have appointed Mr. Gerald Sallus to the Delivery and Provision of Emergency Medical Services Task Force. This is a pleasure appointment starting September 24, 2003.

Sincerely,

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

September 24, 2003

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

RE: Appointment of Barbara Yaroslavsky
to Medical Board of California

Dear Mr. Wilson: Please be advised I have appointed Ms. Barbara Yaroslavsky to the Medical Board of California. This is a term appointment starting September 24, 2003 and the expiration date is June 1, 2007. Ms. Yaroslavsky will be replacing Mr. Jose Fernandez.

Sincerely,

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

The following communications were presented by the Chief Clerk and ordered printed in the Journal:

Explanation of Vote—Senate Bill No. 53

September 23, 2003

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

Dotson: I inadvertently missed a vote on a procedural motion to table a hostile amendment to SB 53 proposed by Assemblymember Keene on June 2, 2003. Had I been present I would have voted "aye". Please include this information into the Assembly Journal.

Thank you for your assistance.

Sincerely,

CINDY MONTAÑEZ, Assembly Member
Thirty-ninth District

Per Diem Waiver—September 29, 2003

September 29, 2003

The Honorable Herb Wesson
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: I respectfully decline per diem payment for the Assembly Floor Session held on September 29, 2003.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact Cory Botts in my Capitol Office.

Sincerely,

PATRICIA C. BATES, Assembly Member
Seventy-third District

Per Diem Waiver—September 29, 2003

September 29, 2003

Herb J. Wesson, Jr.

*Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Subject: Per Diem refusal

Dear Speaker Wesson: I respectfully request that I not receive per diem for the Floor Session on Monday, September 29, 2003.

Due to the prior lack of support for extending Megan's Law, the California taxpayers should not be burdened financially. Given the many hardships Californians are facing, it is the only appropriate choice.

Thank you for your consideration. I may be reached at (916) 319-2069 if you have any questions.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

Per Diem Waiver—September 29, 2003

September 29, 2003

Herb J. Wesson, Jr.

*Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Subject: Per Diem refusal

Dear Speaker Wesson: I respectfully request that I not receive per diem for the Floor Session on Monday, September 29, 2003.

We should have passed AB 1313 to extend Megan's Law on September 12th. While I am proud that we have returned to do the job right, I do not feel it is appropriate for the California taxpayers to pay for our return. Given the many hardships Californians are facing, it is the only appropriate choice.

Thank you for your consideration. I may be reached at (916) 319-2030 if you have any questions.

Sincerely,

NICOLE M. PARRA, Assembly Member
Thirtieth District

Per Diem Waiver—September 29, 2003

September 29, 2003

*The Honorable Joe Nation
Chair, Assembly Rules Committee
State Capitol, Room 3016
Sacramento, California*

Dear Assemblyman Nation: The purpose of this letter is to let you know that I will be waiving per diem for session for September 29, 2003.

I believe that since the Legislature failed to act during the regular session to enact some form of Megan's Law that it would not be appropriate to accept per diem.

Thank you for your assistance in this matter. Please feel free to contact my office should you have any questions or concerns.

Sincerely,

TODD SPITZER, Assembly Member
Seventy-first District

The following communications were presented by the Chief Clerk:

Proposed Initiative

From Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Arbitration. Health Care Disputes.
Initiative Statute. SA 2003RF0028**

Referred by the Speaker to the Committee on Judiciary.

Proposed Referendum

From Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed referendum pursuant to Section 9007, Elections Code:

**Referendum Title and Summary.
Referendum Petition to Overturn Immigrant Driver's License Law.
SA 2003RF0037**

Referred by the Speaker to the Committee on Transportation.

REPORTS

The following reports were presented by the Chief Clerk:

**Contracting Activity Report:
Disabled Veteran Business Enterprise and
Small/Micro Business Participation**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, State Teachers' Retirement System, dated September 8, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Contracting Report:
Disabled Veteran Business Enterprise Participation**

Above transmitted report, together with letter of transmittal from Nancy E. Bither, Deputy Director Support Services, Gambling Control Commission, dated September 5, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Statewide Rail Transportation Assessment Report
(Pursuant to Assembly Bill 1706, Chapter 597, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Assistant Deputy Director, Division of Legislative and Local Government Affairs, Department of Transportation, dated August 21, 2003, referred by the Speaker to the Committee on Transportation.

**Quarterly Report Concerning
Methyl Tertiary Butyl Ether (MTBE) Use in California Gasoline
(Pursuant to Senate Bill 1001, Chapter 814, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from James D. Boyd, Commissioner and Presiding Member Transportation Committee, California Energy Commission, dated August 21, 2003, referred by the Speaker to the Committee on Natural Resources.

**California Bay-Delta Authority
Supplemental Report to the FY 02 Budget Act
(Pursuant to Supplemental Report of the 2002 Budget Act, Item 3870)**

Above transmitted report, together with letter of transmittal from Patrick Wright, Director, California Bay-Delta Authority, dated August 29, 2003, referred by the Speaker to the Committee on Budget.

**Child Development Contractor's Compliance
with Fee and Eligibility Requirements 9/1/03
(Pursuant to Supplemental Language of the Budget Act
Item 6110-001-0890 (8.5))**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated August 29, 2003, referred by the Speaker to the Committee on Budget.

**Report to the Legislature and the Department of Finance:
Chapter 704, Statutes of 2000 (SB 1703 Escutia)
(Pursuant to Senate Bill 1703, Chapter 704, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated September 4, 2003, referred by the Speaker to the Committee on Human Services.

**Gulf Coast to California Pipeline Feasibility Study Report
(Pursuant to Assembly Bill 2098, Chapter 963, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from William J. Keese, Chairman, California Energy Commission, dated September 3, 2003, referred by the Speaker to the Committee on Transportation.

**Regulation of Large Passenger Vessels in California
(Pursuant to Public Resources Code Section 72304)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated August 27, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Statewide Electronic Submission of Reports for
the Underground Storage Tank Program
(Pursuant to Water Code Section 13198(a),
Chapter 3, Division 7)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated September 3, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Auto Body Repair Inspection Pilot Program (Draft) Report
(Pursuant to Senate Bill 1988, Chapter 867, Statutes, 2000)**

Above transmitted report, together with letter of transmittal from Patrick Dorais, Chief, Bureau of Automotive Repair, dated September 2, 2003, referred by the Speaker to the Committee on Insurance.

**Annual Report of the Agricultural Labor Relations Board
(Pursuant to Agricultural Labor Relations Act of 1975
Section 1143)**

Above transmitted report, together with letter of transmittal from J. Antonio Barbosa, Executive Secretary, Office of Agricultural Labor Relations Board, dated September 18, 2003, referred by the Speaker to the Committee on Labor and Employment.

**Forty-third Report on
Legislation Necessary to Maintain the Codes
(Pursuant to Government Code Section 10242)**

Above transmitted report, together with letter of transmittal from Jeffrey A. DeLand, Chief Deputy, Legislative Counsel of California, dated September 17, 2003, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 23, 2003

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

Assembly Bill No. 1640

Assembly Bill No. 1676

Assembly Bill No. 1688

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 23, 2003

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 278 | Assembly Bill No. 1308 |
| Assembly Bill No. 455 | Assembly Bill No. 1360 |
| Assembly Bill No. 579 | Assembly Bill No. 1370 |
| Assembly Bill No. 747 | Assembly Bill No. 1405 |
| Assembly Bill No. 897 | Assembly Bill No. 1475 |
| Assembly Bill No. 933 | Assembly Bill No. 1492 |
| Assembly Bill No. 944 | Assembly Bill No. 1497 |
| Assembly Bill No. 1027 | Assembly Bill No. 1521 |
| Assembly Bill No. 1151 | Assembly Bill No. 1524 |
| Assembly Bill No. 1277 | Assembly Bill No. 1587 |

And reports the same correctly enrolled, and presented to the Governor on the 23rd day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 24, 2003

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1410 | Assembly Bill No. 1601 |
| Assembly Bill No. 1485 | Assembly Bill No. 1680 |
| Assembly Bill No. 1551 | Assembly Bill No. 1700 |
| Assembly Bill No. 1557 | Assembly Bill No. 1719 |

And reports the same correctly enrolled, and presented to the Governor on the 24th day of September, 2003, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 24, 2003

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 17 | Assembly Bill No. 826 |
| Assembly Bill No. 185 | Assembly Bill No. 855 |
| Assembly Bill No. 231 | Assembly Bill No. 903 |
| Assembly Bill No. 300 | Assembly Bill No. 953 |
| Assembly Bill No. 327 | Assembly Bill No. 1008 |
| Assembly Bill No. 457 | Assembly Bill No. 1017 |
| Assembly Bill No. 522 | Assembly Bill No. 1130 |
| Assembly Bill No. 523 | Assembly Bill No. 1131 |
| Assembly Bill No. 715 | Assembly Bill No. 1208 |
| Assembly Bill No. 719 | Assembly Bill No. 1266 |

And reports the same correctly enrolled, and presented to the Governor on the 24th day of September, 2003, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 25, 2003

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

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 28 | Assembly Bill No. 487 |
| Assembly Bill No. 256 | Assembly Bill No. 490 |

And reports the same correctly enrolled, and presented to the Governor on the 25th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 26, 2003

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

- Assembly Bill No. 296
- Assembly Bill No. 408

And reports the same correctly enrolled, and presented to the Governor on the 26th day of September, 2003, at 12:30 p.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS
Committee on Banking and Finance

September 29, 2003

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 664

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

WIGGINS, Chair

ASSEMBLY BILL NO. 664—An act to add Sections 5100.1 and 6090.7 to the Business and Professions Code, and to add Sections 1513, 1514, 1515, 25511, 25537, 25538, and 25540.5 to the Corporations Code, relating to corporations.

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

AUTHOR'S AMENDMENTS
Committee on Judiciary

September 29, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 69

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

CORBETT, Chair

ASSEMBLY BILL NO. 69—An act to add Chapter 6 (commencing with Section 17300) to Part 2 of Division 7 of the Business and Professions Code, relating to business.

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.

REQUEST FOR PHOTOGRAPHER

Assembly Members La Malfa and Leslie were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

RECESS

By unanimous consent, at 11:10 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Leslie introduced Sgt. Nathan Johnson, United States Marine Corps, who has recently returned from his tour of duty in Iraq.

RECONVENED

At 11:11 a.m., the Assembly reconvened.

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

CAUCUS ANNOUNCEMENTS

At 11:11 a.m., Assembly Member Chan was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 11:11 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 12:57 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF BILLS BY UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent that Assembly Bill No. 1313 and Senate Bill No. 631 be taken up, out of file order.

**ASSEMBLY BILL NO. 1313 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Parra was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 1313 was refused concurrence.

Further Consideration of Senate Amendments to Assembly Bill No. 1313

ASSEMBLY BILL NO. 1313 (Parra)—An act to amend Sections 290 and 290.01 of, to amend and repeal Section 290.4, and to add Section 290.45 to, of the Penal Code, relating to sex offenders, and declaring the urgency thereof, to take effect immediately.

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

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

Debate Limited

Speaker pro Tempore Kehoe announced that by leadership agreement, time for debate would be limited to three minutes.

Point of Order

Assembly Member Jackson arose to the following point of order:
Assembly Member Mountjoy is not limiting debate to the merits of Assembly Bill No. 1313.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled that debate must be confined to the merits of the bill before the Body.

Point of Order

Assembly Member Leslie arose to the following point of order:
Assembly Member Jackson's point of order was not in order.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled that points of order are ruled upon by the Chair.

The question being on concurrence in Senate amendments.
The roll was opened.

Call of the Assembly

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

Motion carried. Time, 2:30 p.m.

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

ASSEMBLY MEMBER FIREBAUGH WELCOMED BACK

Assembly Member Mountjoy was joined by the Members of the Assembly in welcoming Assembly Member Firebaugh back following a recent illness.

THIRD READING OF SENATE BILL NO. 631

SENATE BILL NO. 631 (McPherson)—An act to amend Section 13903 of the Government Code, and to amend Sections 1202.45 and 1214 of, to amend, repeal, and add Sections 1202.4 and 2085.5 of, and to add Section 1202.44 to, the Penal Code, relating to restitution, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend by Assembly Member Garcia

Assembly Member Garcia moved the adoption of amendments.
Amendments read and adopted; bill ordered reprinted.

**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. 631 to the Committee on Public Safety.

Parliamentary Inquiry

Assembly Member Wyland arose to the following parliamentary inquiry:

Is there a procedural method by which Senate Bill No. 631 can be taken up today?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that a suspension of the Rules would be required to permit consideration of Senate Bill No. 631.

Motion to Temporarily Suspend the Rules

Assembly Member Mountjoy moved that the Rules be temporarily suspended for the purpose of withdrawing Senate Bill No. 631 from the Committee on Public Safety.

Assembly Member Garcia seconded the motion.

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

AYES—33

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

NOES—40

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

ADJOURN IN MEMORY

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brian Porter, of Palmdale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Lowenthal was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sylverton Kiowa Carpenter, of Long Beach.

(Assembly Rule 45.5 suspended.)

COMMUNICATIONS

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

Leave of Absence—Balance of the Day

September 29, 2003

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

Dear Speaker Wesson: I am writing to request that I be excused from session for the remainder of this day to fly back to my District to host a Town Hall meeting in Fullerton which has been scheduled for over a month.

I appreciate your consideration of this request. Please contact Chris Mowrer at 319-2072 with any questions. Thank you.

Sincerely,

LYNN DAUCHER, Assembly Member
Seventy-second District

ADJOURN IN MEMORY

Assembly Members La Malfa and Jerome Horton were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sheriff Charles Byrd, of Weed.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bogh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Travis Chatigny, of Beaumont.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wiggins was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert M. Lynch, of Sonoma.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Longville was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruby Knickerbocker, of Fontana.

(Assembly Rule 45.5 suspended.)

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1313**

At 2:49 p.m., on motion of Assembly Member Strickland, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1313 by the following vote:

AYES—78

| | | | |
|-------------|-----------------|----------------|---------------|
| Aghazarian | Dutton | Levine | Parra |
| Bates | Dymally | Lieber | Plescia |
| Benoit | Firebaugh | Liu | Reyes |
| Berg | Frommer | Longville | Richman |
| Bermudez | Garcia | Lowenthal | Ridley-Thomas |
| Bogh | Goldberg | Maddox | Runner |
| Calderon | Harman | Maldonado | Salinas |
| Campbell | Haynes | Matthews | Samuelian |
| Canciamilla | Horton, Jerome | Maze | Simitian |
| Chan | Horton, Shirley | McCarthy | Spitzer |
| Chavez | Houston | Montanez | Steinberg |
| Chu | Jackson | Mountjoy | Strickland |
| Cogdill | Keene | Mullin | Vargas |
| Cohn | Kehoe | Nakanishi | 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 immediately.

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 (Annie) Elizabeth Wilson Harper, of Eureka.

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 Sheila Hill Fajors, of San Leandro and Allen Honda, of Castro Valley.

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 Terry Brickley and Tim Jenkins, of Santa Cruz.

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Althea Gibson, of New Jersey.

VOTE ADDS

The following Assembly Member was granted unanimous consent to record his vote on the following item:

Senate Bill No. 631, Mountjoy Motion to Suspend Rules:
Correa—Aye.

MOTION TO ADJOURN

At 2:50 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Garcia, Leno, Benoit, and Goldberg arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

CAUCUS ANNOUNCEMENTS

Assembly Member Strickland announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:57 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 29, 2003

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

Assembly Bill No. 1313

And reports the same correctly enrolled, and presented to the Governor on the 29th day of September, 2003, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:30 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned for the 2003 Interim Study Recess, until 12 noon, Monday, January 5, 2004, out of respect to the memory of Brian Porter, on motion of Assembly Member Strickland; out of respect to the memory of Sylverton Kiowa Carpenter, on motion of Assembly Member Lowenthal; out of respect to the memory of Sheriff Charles Byrd, on motion of Assembly Members La Malfa and Jerome E. Horton; out of respect to the memory of Travis Chatigny, on motion of Assembly Member Bogh; out of respect to the memory of Robert M. Lynch, on motion of Assembly Member Wiggins; out of respect to the memory of Ruby Knickerbocker, on motion of Assembly Member Longville; out of respect to the memory of (Annie) Elizabeth Wilson Harper, on motion of Assembly Member Berg; out of respect to the memory of Sheila Hill Fajors and Allen Honda, on motion of Assembly Member Corbett; out of respect to the memory of Terry Brickley and Tim Jenkins, on motion of Assembly Member Laird; and out of respect to the memory of Althea Gibson, on motion of Assembly Member Jerome E. Horton.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 29, 2003**

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

AB RN

69 0320736
664 0320694

SB RN

631 0320748

Daily Total: 3

Cumulative Total: 2934

O