

CALIFORNIA LEGISLATURE  
2003–04 FIFTH EXTRAORDINARY SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, December 11, 2003**  
**THIRD SESSION DAY**  
**TWENTY-FOURTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



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

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Thursday, December 11, 2003

The Assembly met at 12 noon.

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

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Dutton moved a quorum call of the Assembly. Motion carried. Time, 12:01 p.m.

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

#### Quorum Present

At 12:11 p.m., Speaker pro Tempore Kehoe declared a quorum of the Assembly present.

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

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescia
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	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

**PRAYER**

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

*O Loving God*, You are praised by the ranks of angels in heaven and by Your faithful servants on earth. You work with compassion and wisdom for our salvation. Make us worthy at this hour, Lord, to be united with one another in the bond of peace and love. Let Your divine knowledge sanctify us and prepare us for the coming day, and open the way which leads to Your heavenly kingdom.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Matthews 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.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, December 11, 2003

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

Assembly Constitutional Amendment No. 5

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

Assembly Chamber, December 11, 2003

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

Assembly Bill No. 9

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

**ADJOURN IN MEMORY**

Assembly Members Laird and Dymally were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Assembly Member Thomas Rees, of Scotts Valley, who served in the Assembly from 1955–1962.

(Assembly Rule 45.5 suspended.)

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Staff Sgt. Steven H. Bridges, of Tracy.

(Assembly Rule 45.5 suspended.)

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Father William J. “Bill” O’Donnell, of Berkeley.

(Assembly Rule 45.5 suspended.)

**CAUCUS ANNOUNCEMENTS**

At 12:25 p.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 12:26 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

**RECONVENED**

At 8:12 p.m., the Assembly reconvened.

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

**HORTON MOTION TO SUSPEND RULES**

Assembly Member Shirley Horton moved to suspend the Rules to permit consideration of Assembly Bill No. 3, without reference to file.

Assembly Member Strickland seconded the motion.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 8:12 p.m.

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

**HAYNES MOTION TO SUSPEND RULES**

Assembly Member Haynes moved to suspend the Rules to permit consideration of Assembly Bill No. 7, without reference to file.

Assembly Member Strickland seconded the motion.

The roll was opened.

**Call of the Assembly**

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

Motion carried. Time, 8:15 p.m.

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

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

**ASSEMBLY BILL NO. 8**—An act to amend Item 0840-001-0001 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), relating to the State Controller.

Bill read second time, and ordered to third reading.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1.3 to Article XVI thereof, relating to public debt.

Resolution read second time, and ordered to third reading.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, December 11, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Bill No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, December 11, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
Assembly Constitutional Amendment No. 6

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to third reading.

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

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5 (Oropeza)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, and by adding Sections 1.3 and 20 to Article XVI thereof, relating to state finance.

Resolution read third time.

**Motion to Amend**

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted by the following vote:

**AYES—79**

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescia
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	Horton, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Houston	Montanez	Spitzer
Cogdill	Jackson	Mountjoy	Steinberg
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—1**

Strickland

Resolution ordered reprinted.

**Further Consideration of Assembly Constitutional Amendment No. 5  
by Unanimous Consent**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Constitutional Amendment No. 5 without reference to file, for purpose of consideration.

**ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 5 (Oropeza)**—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 10 and 12 of Article IV thereof, and by adding Sections 1.3 and 20 to Article XVI thereof, relating to state finance.

Resolution read third time, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescia
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	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**

**Vote Changes**

By unanimous consent, the following vote changes were permitted on Assembly Constitutional Amendment No. 5: Assembly Members Campbell, Haynes, Maldonado, and Strickland from “No” to “Aye”.

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF ASSEMBLY BILL NO. 8  
BY UNANIMOUS CONSENT**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 8 without reference to file, for purpose of amendment.

**ASSEMBLY BILL NO. 8 (Matthews)**—An act to amend Item 0840-001-0001 of Section 2.00 of the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), relating to the State Controller.

Bill read third time.

**Motion to Amend**

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

**Resolutions**

The following resolution was offered:

**Resolution to Dispense With Constitutional Provision**

By Assembly Member Oropeza.

*Resolved*, That Assembly Bill No. 8 presents a case of urgency, as that term is used in Article IV, Section 8 (b), of the Constitution, and the provision of that section requiring that the bill be read on three separate days in each house is hereby dispensed with, and it is ordered that the bill be placed upon its passage, and considered engrossed.

Resolution read, and adopted by the following vote:

**AYES—80**

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescia
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	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**

Article IV, Section 8 (b) of the Constitution was declared dispensed with.

**Further Consideration of Assembly Bill No. 8  
by Unanimous Consent**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 8 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 8 (Oropeza)**—An act relating to ballot measures, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—77**

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

**NOES—None**

Bill ordered transmitted 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 Roger Friesen, of Chino Hills.

(Assembly Rule 45.5 suspended.)

**PARLIAMENTARY INQUIRY**

Assembly Member Cox arose to a point of parliamentary inquiry whereupon he requested unanimous consent to dispense with the Call of the Assembly on the Shirley Horton motion for a suspension of the Rules as relates to Assembly Bill No. 3, and made remarks in debate relative to the bill.

**Point of Order**

Assembly Member Firebaugh arose to the following point of order:

Assembly Member Cox is making remarks in debate, not in order under the Rules, when arising to a point of parliamentary inquiry.

**Ruling by Speaker pro Tempore Kehoe**

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

**Motion to Appeal from the Decision of the Chair**

Assembly Member Cox moved to appeal from the decision of the Chair.

The question being: Shall the decision of the Chair that Assembly Member Cox's remarks debating Assembly Bill No. 3 are not in order when arising to a point of parliamentary inquiry or in moving to dispense with a Call of the Assembly, be overruled?

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

**AYES—29**

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

**NOES—48**

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

**ADJOURN IN MEMORY**

Assembly Member Leno was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bob Ross, of San Francisco.

(Assembly Rule 45.5 suspended.)

**HAYNES REQUEST TO DISPENSE WITH CALL OF THE ASSEMBLY**

Assembly Member Haynes requested unanimous consent that the Call of the Assembly be dispensed with on his motion to suspend the Rules to permit consideration of Assembly Bill No. 7, without reference to file, whereupon he made an inquiry of the Speaker pro Tempore relative to Assembly Bill No. 7.

**Point of Order**

Assembly Member Firebaugh arose to the following point of order: Assembly Member Haynes' remarks are dilatory and not in order under the Rules while moving to dispense with the Call of the Assembly.

**Ruling by Speaker pro Tempore Kehoe**

The Speaker pro Tempore ruled that Assembly Member Haynes' motion to dispense with a Call of the Assembly is in order.

**Parliamentary Inquiry**

Assembly Member Haynes arose to the following parliamentary inquiry:

Should the House not be informed as to the question before the Body for vote?

**Reply by Speaker pro Tempore Kehoe**

Speaker pro Tempore Kehoe replied that Assembly Member Haynes' motion to dispense with the Call of the Assembly is in order.

**Unanimous Consent Withheld**

Assembly Member Firebaugh withheld unanimous consent on the request by Assembly Member Haynes to dispense with the Call of the Assembly on his motion to suspend the Rules.

**Parliamentary Inquiry**

Assembly Member Haynes arose to the following parliamentary inquiry:

Is it not true that the House cannot adjourn while under Call of the Assembly?

**Reply by Speaker pro Tempore Kehoe**

Speaker pro Tempore Kehoe replied in the affirmative.

**Haynes Motion to Dispense with Call of the Assembly**

Assembly Member Haynes moved to dispense with the Call of the Assembly on his motion to suspend the Rules to permit consideration of Assembly Bill No. 7, without reference to file.

Assembly Member Cox seconded the motion.

Motion lost by the following vote:

**AYES—31**

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

**NOES—46**

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

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

**ASSEMBLY BILL NO. 9 (Oropeza)**—An act to amend Sections 99006 and 99008 of, and to add Title 18 (commencing with Section 99050) to, the Government Code, relating to fiscal recovery financing, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

**Consideration of Assembly Bill No. 9  
by Unanimous Consent**

Assembly Member Oropeza was granted unanimous consent to take up Assembly Bill No. 9 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 9 (Oropeza)**—An act to amend Sections 99006 and 99008 of, to add Title 18 (commencing with Section 99050) to, and to repeal and add Section 29530 of, the Government Code, and to repeal and add Sections 97.68, 6051.5, 6201.5, 7202, 7203, and 7203.1 of the Revenue and Taxation Code, relating to fiscal recovery financing, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—65**

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

**NOES—13**

Bates	Garcia	Maze	Wyland
Campbell	Haynes	Mountjoy	
Chavez	Maddox	Simitian	
Frommer	Maldonado	Strickland	

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—65**

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

**NOES—13**

Bates	Garcia	Maze	Wyland
Campbell	Haynes	Mountjoy	
Chavez	Maddox	Simitian	
Frommer	Maldonado	Strickland	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON HAYNES MOTION TO SUSPEND RULES RELATIVE TO  
ASSEMBLY BILL NO. 7**

At 9:37 p.m., on motion of Assembly Member Firebaugh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Haynes motion to suspend the Rules to permit consideration of Assembly Bill No. 7, without reference to file, 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—42**

Berg	Frommer	Liu	Ridley-Thomas
Bermudez	Goldberg	Longville	Salinas
Calderon	Hancock	Montanez	Simitian
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
Dymally	Levine	Pavley	
Firebaugh	Lieber	Reyes	

**CALL OF THE ASSEMBLY DISPENSED WITH  
ON SHIRLEY HORTON MOTION TO SUSPEND RULES RELATIVE TO  
ASSEMBLY BILL NO. 3**

At 9:38 p.m., on motion of Assembly Member Firebaugh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Shirley Horton motion to suspend the Rules to permit consideration of Assembly Bill No. 3, without reference to file, 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	Reyes
Bermudez	Frommer	Liu	Ridley-Thomas
Calderon	Goldberg	Longville	Salinas
Canciamilla	Hancock	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Dymally	Levine	Oropeza	Mr. Speaker

**BEST WISHES EXTENDED**

Assembly Member Jerome Horton recognized Cathy Ryoo of his staff who is leaving her service with the Assembly, and extended his best wishes.

**ADJOURN IN MEMORY**

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 Roy Daniel Dean King, of San Leandro.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Milton Murset, of Temple City.

Assembly Member Parra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Terrance Andrew Langston, of Bakersfield.

Assembly Member Spitzer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of D. Ann Kogerman, of Laguna Hills.

Assembly Members Spitzer, Maddox, Pacheco, Bates, Correa, and Daucher were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peter Muth, of Santa Ana.

**VOTE ADDS**

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

**Assembly Constitutional Amendment No. 5, Oropeza Amendments:** Corbett—Aye.

**Assembly Constitutional Amendment No. 5:** Bates, Corbett, Garcia, and Maddox—Aye.

**Resolution to Invoke Constitution:** Corbett—Aye.

**MOTION TO ADJOURN**

At 9:39 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

**ANNOUNCEMENT RELATIVE TO REMARKS ON CONDITION OF THE FILE**

Speaker pro Tempore Kehoe announced that remarks on condition of the file on this day are not permitted by the Speaker.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

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

**Roll Call Demanded**

Assembly Members Cox, Mountjoy, and Strickland, demanded a roll call.

The roll was called, and the motion to adjourn carried by the following vote:

**AYES—46**

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

**NOES—29**

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

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 9:40 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

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At 9:40 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 9:40 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned, out of respect to the memory of Thomas Rees, on motion of Assembly Members Laird and Dymally; out of respect to the memory of Staff Sgt. Steven H. Bridges, on motion of Assembly Member Matthews; out of respect to the memory of Father William J. "Bill" O'Donnell, on motion of Assembly Member Hancock; out of respect to the memory of Roy Daniel Dean King, on motion of Assembly Member Corbett; out of respect to the memory of Bob Ross, on motion of Assembly Member Leno; out of respect to the memory of Milton Murset, on motion of Assembly Member Mountjoy; out of respect to the memory of Terrance Andrew Langston, on motion of Assembly Member Parra; out of respect to the memory of D. Ann Kogerman, on motion of Assembly Member Spitzer; out of respect to the memory of Roger Friesen, on motion of Assembly Member Pacheco; and out of respect to the memory of Peter Muth, on motion of Assembly Members Spitzer, Maddox, Pacheco, Bates, Correa, and Daucher.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk



**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON DECEMBER 11, 2003**

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

**AB RN**

8 0322101

9 0322077

**ACA RN**

5 0322095

**Daily Total: 3**

**Cumulative Total: 5**

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