

Volume 3

Journal of the Assembly

Legislature of the State of California

2003–04 Regular Session

December 2, 2002 to November 30, 2004



HON. FABIAN NUÑEZ
Speaker

HON. LELAND Y. YEE
Speaker pro Tempore

HON. SALLY J. LIEBER
Assistant Speaker pro Tempore

HON. DARIO FROMMER
Majority Floor Leader

HON. KEVIN McCARTHY
Republican Leader

E. DOTSON WILSON
Chief Clerk of the Assembly

PAM CAVILEER
Minute Clerk

Volume 3

CONTENTS OF DAILY JOURNALS OF THE ASSEMBLY

	<i>Date</i>	<i>Page</i>		<i>Date</i>	<i>Page</i>
2003					
September	2	3261		22	4315
	3	3345		26	4345
	4	3385		29	4379
	5	3435	February	2	4427
	8	3503		3	4437
	9	3593		4	4447
	10	3695		5	4457
	11	3771		9	4491
	12	3861		10	4517
	22	3959		11	4523
	29	3971		12	4529
October	14	3989		13	4543
November	30	4035		17	4557
				18	4573
2004				19	4587
January	5	4083		20	4621
	6	4127		24	4657
	7	4149		25	4671
	8	4167		26	4677
	9	4181	March	1	4691
	12	4185		4	4705
	13	4223		8	4723
	14	4235		11	4739
	15	4251		15	4765
	16	4271		18	4785
	20	4287		22	4813
	21	4305			

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, September 2, 2003

**ONE HUNDRED TWENTY-FIRST SESSION DAY
TWO HUNDRED SEVENTY-FIFTH 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
Tuesday, September 2, 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 12:05 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—78:

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

PRAYER

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

Lord, The heavens declare Your glory, the earth is Your dominion and every living creature, a testimony to Your greatness. We pray to You, Lord, and ask that You send upon us Your Spirit—to strengthen and to prepare us for the work we do this day. Help us to be mindful of Your commandments and to live according to Your will. For You are a holy, good and merciful God and we sing Your praise forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Lowenthal 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:

Because of illness: Assembly Member Firebaugh.

Because of illness in her family: Assembly Member Oropeza.

COMMUNICATIONS

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

August 28, 2003

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

RE: Appointment of Nancy Foster
to Child Abuse and Neglect Reporting Act Task Force

Dear Mr. Wilson: Please be advised I have appointed Ms. Nancy Foster to the Child Abuse and Neglect Reporting Act Task Force. This is a pleasure appointment starting August 28, 2003.

Sincerely,

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

August 28, 2003

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

RE: Appointment of Justin Kim
to State Assistance Fund for Enterprise, Business and
Industrial Development Corporation (SAFE-BIDCO)

Dear Mr. Wilson: Please be advised I have appointed Mr. Justin Kim to the State Assistance Fund for Enterprise, Business and Industrial Development Corporation (SAFE-BIDCO). This is a term appointment starting August 28, 2003 and the expiration date is January 1, 2004. Mr. Kim will be replacing Mr. Thomas Steyer.

Sincerely,

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

September 2, 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 Assemblymember Dario Frommer to the Select Committee on Elder Abuse.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 2, 2003

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

Assembly Concurrent Resolution No. 116
Assembly Concurrent Resolution No. 121
Assembly Concurrent Resolution No. 131
Assembly Concurrent Resolution No. 133

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to Consent Calendar.

Assembly Chamber, September 2, 2003

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

Assembly Joint Resolution No. 50

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

AUTHOR'S AMENDMENTS
Committee on Appropriations

September 2, 2003

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

Assembly Bill No. 242

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

STEINBERG, Chair

ASSEMBLY BILL NO. 242—An act to add Sections 44225.1, 44227.8, 44830.4, and 45062 to, to add Chapter 1.5 (commencing with Section 99050) to Part 65 of, and to add and repeal Sections 44304 and 44308.5 of, the Education Code, and to amend Section 3543.2 of, and to add Section 3543.9 to, the Government Code, relating to teachers.

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 Water, Parks and Wildlife

September 2, 2003

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 922

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

CANCIAMILLA, Chair

SENATE BILL NO. 922—An act to amend Section 13304 of the Water Code, relating to water.

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 Labor and Employment

September 2, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Senate Bill No. 817

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

KORETZ, Chair

SENATE BILL NO. 817—An act to amend Section 10200 of the Unemployment Insurance Code, relating to employment.

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.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 19

Senate Bill No. 364

Senate Bill No. 25

Senate Bill No. 407

Senate Bill No. 81

Senate Bill No. 578

Senate Bill No. 219

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

Committee on Natural Resources

Date of Hearing: August 28, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 23

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JACKSON, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 3

Senate Bill No. 640

Senate Bill No. 602

Senate Bill No. 1008

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, September 2, 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. 552.

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

September 2, 2003

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 763 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

September 2, 2003

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

Dear Dotson: The Senate this day rescinded the action whereby it concurred in Assembly amendments to Senate Bill 476. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, September 2, 2003

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

Senate Concurrent Resolution No. 49

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. 49—Relative to prevailing wage rates.

REQUEST FOR PHOTOGRAPHER

Speaker Wesson was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILL RETURNED TO SENATE

Assembly Member Liu was granted unanimous consent that Assembly Bill No. 763 be returned to the Senate for further action.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Constitutional Amendment No. 14, on request of Assembly Member Steinberg.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 644 be removed from the inactive file.

ACTION RESCINDED ON SENATE BILL NO. 763

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on August 28, 2003 (Assembly Journal, page 3232), passed Senate Bill No. 763, and whereby the bill was ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

On behalf of Assembly Member Oropeza, Assembly Member Chan was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1022

August 28, 2003

The Honorable Herb J. Wesson, Jr.
Speaker, State Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: AB 1022, as amended on July 17, 2003, is red light camera reform legislation intended to advance many of the recommendations found in a report by the independent California State Auditor regarding suggested improvements to red light camera programs.

The provisions of AB 1022 are intended to apply prospectively and retroactively. However, as many local governments are currently obligated under existing contracts with red light camera vendors, the bill recognizes that it would be neither fiscally nor legally sound to require local governments to default on their existing contracts in order to comport with the provisions required by AB 1022. Accordingly, the provisions of AB 1022 take effect on January 1, 2004, except where there is an existing contract between a local governmental entity and a red light camera vendor, in which case the provisions of the bill will take effect for those existing contracts upon such time as those existing contracts are amended, renewed, extended, or terminated.

As AB 1022 is being contemplated by the Legislature, some local governments are facing legal challenges over aspects of their existing contracts with red light camera vendors. With respect to litigation arising from existing law, AB 1022 is not intended to suggest or imply the legality or illegality with respect to any existing law, nor is it intended to imply that any contract based upon existing law is valid or invalid.

I respectfully request that this letter be printed in the Assembly Journal.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

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

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

Assembly Bill No. 85, to the Committee on Public Employees, Retirement and Social Security;

Assembly Bill No. 638, to the Committee on Public Safety;

Assembly Bill No. 190, to the Committee on Elections, Redistricting and Constitutional Amendments;

Senate Bill No. 122, to the Committees on Judiciary and Appropriations.

**ASSEMBLY BILL NO. 1736
REMOVED FROM SPECIAL CONSENT CALENDAR
AND RE-REFERRED TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Speaker pro Tempore Kehoe removed Assembly Bill No. 1736 from the Special Consent Calendar and re-referred the bill to the Committee on Veterans Affairs, pursuant to Assembly Rule 77.2.

RECESS

By unanimous consent, at 12:15 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

On behalf of Speaker Wesson, Speaker pro Tempore Kehoe introduced the Mary Lind Choir, whereupon they performed for the Assembly in September as "Celebrating Recovery Month".

RECONVENED

At 12:25 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

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

SENATE BILL NO. 17—An act to amend Sections 64, 480.1, 480.2, and 482 of, and to add Sections 474 and 486 to, the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 18—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, and 21097 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 68—An act to add and repeal Chapter 5.3 (commencing with Section 13368) of Division 7 of the Water Code, relating to water.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 151—An act to amend Sections 11165.1 and 11166 of, to amend and repeal Sections 11162, 11168, and 11169 of, to amend, repeal, and add Sections 11159.2, 11161, 11164, 11165, 11167, 11167.5, and 11190 of, to add Sections 11029.5, 11161.5, 11161.7, 11162.1, and 11162.6 to, and to add, repeal, and add Section 11164.1 to, the Health and Safety Code, relating to controlled substances.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 162—An act to amend Sections 8869.80 and 8869.84 of the Government Code, relating to state government.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 259—An act to amend Section 44018 of, and to add Section 87018 to, the Education Code, relating to school employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 261—An act to amend Section 1375.4 of, and to add Sections 1375.9, 1375.10, 1375.11, and 1375.12 to, the Health and Safety Code, relating to health care service plans.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 268—An act to amend Sections 20776, 21037, and 21050 of the Government Code, relating to public employees' retirement.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 269—An act to add Section 22212.5 to the Education Code, and to amend Section 20098 of the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 297—An act to add Section 6217.2 to the Public Resources Code, relating to salmon.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 311—An act to amend Section 116365 of the Health and Safety Code, relating to environmental health.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 317—An act to amend Section 2081.7 of the Fish and Game Code, to amend Section 1013 of Water Code, and to amend Sections 1 and 9 of Chapter 617 of the Statutes of 2002, relating to the Salton Sea, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 322—An act to add and repeal Sections 125118, 125118.5, 125119, 125119.3, and 125119.5 of the Health and Safety Code, relating to medical research.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 345—An act to amend Section 1954 of the Civil Code, to amend Section 1161.2 of, and to repeal and add Section 1166 of, the Code of Civil Procedure, and to amend Section 34328.1 of the Health and Safety Code, relating to tenancy.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 360—An act to amend Sections 125.9, 7303.1, 7309, 7313, 7317, 7319.5, 7321, 7321.5, 7324, 7326, 7330, 7332, 7333, 7334, 7335, 7336, 7337, 7337.5, 7338, 7340, 7341, 7342, 7344, 7353, 7354, 7355, 7356, 7357, 7359, 7362, 7362.1, 7362.2, 7362.3, 7364, 7365, 7366, 7367, 7389, 7395.1, 7396, 7400, 7401, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7414.1, 7414.3, 7414.4, 7414.6, 7415, 7421, and 7422 of, to amend and repeal Sections 7390, 7391, 7392, 7393, 7394, and 7395 of, to add Sections 7303.2, and 7403.5 to, to repeal Sections 7331.5, 7340.5, 7416, and 7423.5 of, and to repeal and add Sections 7331 and 7423 to, the Business and Professions Code, relating to business and professions.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 411—An act to add Section 79568.1 to the Water Code, relating to public resources.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 413—An act to amend Section 9757.5 of the Welfare and Institutions Code, relating to health insurance.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 418—An act to repeal and add Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code, relating to fish and wildlife, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 439—An act to amend Sections 20035.1 and 21363.4 of, and to add Sections 20035.2, 20035.3, and 22825.11 to, the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 448—An act to add Section 19584 to the Revenue and Taxation Code, relating to voter registration.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 452—An act to amend Sections 89260 and 89260.5 of, and to repeal Section 89260.7 of, the Education Code, relating to the California State University.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 504—An act to add Chapter 7 (commencing with Section 132600) to Division 12.7 of the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 507—An act to amend and repeal Section 52244 of the Education Code, relating to public schools.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 566—An act to amend Sections 7251.1 and 7251.2 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 610—An act to amend Section 12302 of, to amend, repeal, and add Section 12309 of, and to add Section 12309.5 to, the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 613—An act to amend Sections 2194, 14217, 14310, and 14311 of, to add Sections 17, 2124, 2131, and 14402.5 to, and to repeal and add Section 14200 of, the Elections Code, and to amend Section 6254.4 of the Government Code, relating to elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 623—An act to amend Section 2081.7 of the Fish and Game Code, relating to endangered species.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 627—An act to amend Sections 22109.5, 22138.5, 22146, 22203.5, 22213, 22503, 22663, 22713, 22714, 22801, 22801.5, 22820, 22823, 22826, 22905, 23203, 23300, 24002, 24012, 24111, 24214, 24216.6, 24221, 24300, 24606, 24615, 24616, 24617, 24975, 25000.9, 25018.5, 25100, 25101, and 25940 of the Education Code, relating to state teachers' retirement.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 636—An act to add Section 56509 to the Education Code, relating to special education.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 639—An act to amend Sections 65891.8 and 65891.12 of the Government Code, relating to housing.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 654—An act to amend Section 8557, 10644, and 10753.7 of the Water Code, relating to water, and making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 666—An act to add Section 53121 to the Government Code, relating to telecommunications.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 707—An act to add Section 21151.3 to the Public Resources Code, relating to environmental quality.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 709—An act to add Chapter 5.7 (commencing with Section 40600) to Part 3 of Division 26 of the Health and Safety Code, to add Section 9250.16 to the Vehicle Code, and to repeal Section 5 of Chapter 915 of the Statutes of 1994, relating to air quality.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 720—An act to amend Section 884 of the Public Utilities Code, relating to telecommunications.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 760—An act to amend and repeal Section 6368.8 of, and to add Section 6368.9 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 771—An act to amend and renumber Sections 125115, 125116, and 125117 of, to add Section 125305 to, to add the headings of Part 5.5 (commencing with Section 125300) and Chapter 1 (commencing with Section 125300) to Division 106 of, and to repeal the heading of Article 5 (commencing with Section 125115) of Chapter 1 of Part 5 of Division 106 of, the Health and Safety Code, relating to human tissue.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 802—An act to amend Sections 164.14 and 164.19 of the Streets and Highways Code, relating to transportation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 821—An act to add Chapter 5.5 (commencing with Section 66350) to Part 40 of the Education Code, relating to business ethics.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 838—An act to add Section 1104.3 to the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 879—An act to amend Section 290 of the Penal Code, relating to child pornography.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 892—An act to add Section 35292.5 to the Education Code, relating to schools.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 970—An act to add Sections 11077.1 and 11077.2 to, and to amend Section 11077 of, the Penal Code, relating to criminal offender record information.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 976—An act relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1009—An act to amend Sections 6487 and 7101 of, and to add Sections 6452.1, 6487.3, and 18510 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 966—An act to amend Section 1726 of, and to add Section 1781 to, the Labor Code, relating to prevailing wages.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1024—An act to amend Section 5091 of the Education Code, to amend Sections 3103, 3304, 3500, 4101, 7227, 7422, 7672, 7772, 8105, 8202, 8204, 10220, 10411, 11020, 13113, and 14242 of, to repeal Section 8023 and Chapter 2 (commencing with Section 8350) of Part 2 of Division 18 of, and to repeal and add Sections 7770 and 8022, of, the Elections Code, to amend Section 26802 of the Government Code, and to amend Section 9358 of the Public Resources Code, relating to elections.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 98—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 5—An act to add Section 60605.3 to the Education Code, relating to curriculum.

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

SENATE BILL NO. 15—An act to amend Sections 17073.15, 17073.20, 17074.10, 17077.42, 17078.52, 17078.53, 17078.54, 17078.56, 17078.57, 17078.58, 17078.62, and 17078.64 of, to add Section 17078.66 to, and to repeal Section 17078.50 of, the Education Code, and to amend Section 65352.2 of the Government Code, relating to education facilities.

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

SENATE BILL NO. 36—An act to add Section 14132.100 to the Welfare and Institutions Code, relating to Medi-Cal.

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

SENATE BILL NO. 41—An act to amend Sections 10430, 10515, 10518, and 10526 of, and to add Article 2.5 (commencing with Section 10510.4) to Chapter 2.1 of, and to add Article 7.8 (commencing with Section 10830) to Chapter 2.5 of, Part 2 of Division 2 of, the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 71—An act to amend Sections 221.5, 37631, 41840, 48980, and 51851 of, to add Chapter 5.6 (commencing with Section 51930) to Part 28 of, to repeal Sections 51201.5, 51229, 51229.5, 51229.8, and 51240 of, to repeal Article 6 (commencing with Section 51550) of Chapter 4 of Part 28 of, and to repeal Article 11 (commencing with Section 51820) of Chapter 5 of Part 28 of, the Education Code, relating to instruction.

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

SENATE BILL NO. 130—An act to add Division 1.5 (commencing with Section 1180) to the Health and Safety Code, relating to mental health.

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

SENATE BILL NO. 168—An act to amend Sections 25401.2, 25523, 25525, and 25620.5 of, and to amend and renumber Section 25620.10 of, the Public Resources Code, to amend Sections 383.5 and 445 of, and to repeal Division 4.7 (commencing with Section 9201) of, the Public Utilities Code, and to amend Section 2 of Chapter 850 of the Statutes of 2002, relating to energy and telecommunications, and making an appropriation therefor.

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

SENATE BILL NO. 216—An act to amend Sections 2106 and 2109 of, to amend and renumber Section 2116 of, and to repeal Section 2106.5 of, the Fish and Game Code, relating to endangered species.

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

SENATE BILL NO. 244—An act to add Article 12 (commencing with Section 1399.820) to Chapter 2.2 of Division 2 of, and to repeal Sections 1373.65, 1373.95, and 1373.96 of, the Health and Safety Code, and to add Section 10133.561 to the Insurance Code, relating to health care coverage.

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

SENATE BILL NO. 247—An act to amend Section 1808.25 of the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 248—An act to amend Sections 415, 426, 3001, 3003, 3051, and 3066 of, to add Section 3069.1 to, and to add Article 5 (commencing with Section 3070) to Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 257—An act to amend Section 52052.5 of the Education Code, relating to pupil testing, and making an appropriation therefor.

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

SENATE BILL NO. 295—An act to amend Section 11362.9 of the Health and Safety Code, relating to controlled substances.

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

SENATE BILL NO. 306—An act to amend Sections 17021.7, 17951, 18013.4, 18045.5, 18214, 18300, 18862.39, 18862.47, 18865, 19971, 50781, and 50786 of the Health and Safety Code, relating to mobilehome parks, and making an appropriation therefor.

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

SENATE BILL NO. 314—An act to add Section 130350.5 to the Public Utilities Code, relating to transportation.

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

SENATE BILL NO. 315—An act to amend Section 5463 of the Business and Professions Code, to amend Section 20351 of the Public Contract Code, to amend Sections 99315.8, 120050.2, 120051, 120051.6, and 120054 of, to add Section 120051.1 to, and to add Chapter 6 (commencing with Section 125700) to Division 11.5 of, the Public Utilities Code, to amend Sections 10753 and 10753.7 of the Revenue and Taxation Code, to amend Sections 188.8 and 302 of the Streets and Highways Code, and to amend Sections 1800, 1810, 1810.7, 4456, 4466, 5068, 5201, 6700, 9101, 9107, 11204, 12814, 13370, 15250.7, 16000, 16021, 16370.5, 16431, 24609, and 27400 of, and to add Section 11519 to, the Vehicle Code, relating to transportation.

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

SENATE BILL NO. 358—An act to amend Sections 2701, 2702, 2703, 2708, 2725, 2815, 2815.1, 2841, 2847, 2878, 2893, 2895, 4501, 4503, and 4521 of, and to add Sections 2725.5, 2878.1, 2895.5, and 4521.2 to, the Business and Professions Code, and to add Article 4 (commencing with Section 128475) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to healing arts.

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

SENATE BILL NO. 403—An act to amend Sections 11270, 13400, 13401, 13402, 13403, 13405, and 13406 of, and to add Chapter 5.5 (commencing with Section 11531) to Part 1 of, and to add Chapter 3.5 (commencing with Section 13343) to Part 3 of, Division 3 of Title 2 of, the Government Code, and to amend Sections 12101, 12102, and 12103 of, and to repeal Section 12105 of, the Public Contract Code, relating to information technology.

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

SENATE BILL NO. 436—An act to amend Sections 22774, 22790, 22792, 22793, 22794, 22825, 22825.1, 22840, and 22850 of the Government Code, relating to the Public Employees' Medical and Hospital Care Act, and making an appropriation therefor.

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

SENATE BILL NO. 460—An act to add Section 53030 to the Education Code, relating to school finance.

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

SENATE BILL NO. 549—An act to add Chapter 9.7 (commencing with Section 6267) to Title 7 of Part 3 of the Penal Code, relating to inmates.

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

SENATE BILL NO. 582—An act to add Article 4.5 (commencing with Section 110423.100) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to public health.

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

SENATE BILL NO. 606—An act to amend Section 49455 of the Education Code, relating to pupil health.

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

SENATE BILL NO. 611—An act to amend Section 99200 of the Education Code, relating to instructional strategies.

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

SENATE BILL NO. 614—An act to amend Sections 18648, 19116, 19164, 19166, 19173, 19177, 19179, 19504, 19715, and 21028 of, to add Section 18407 to, and to add Chapter 9.5 (commencing with Section 19751) to Part 10.2 of Division 2 of, the Revenue and Taxation Code, relating to taxation.

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

SENATE BILL NO. 649—An act to add Section 20676 to the Public Contract Code, and to amend Sections 2207, 2717, and 2774 of the Public Resources Code, relating to mining.

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

SENATE BILL NO. 678—An act relating to public health, and making an appropriation therefor.

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

SENATE BILL NO. 694—An act to amend Sections 4750.7 and 31164 of, to add Section 31012 to, and to repeal Sections 532, 2804.6, and 2813 of, the Public Resources Code, relating to public resources, and making an appropriation therefor.

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

SENATE BILL NO. 719—An act to amend Sections 32261, 32262, 35183, 35294.10, 35294.11, 35294.12, 35294.13, 35294.21, 35294.22, 51263, and 51264 of, to amend and renumber Sections 32280, 32290, 32295, 35294, 35294.1, 35294.2, 35294.3, 35294.4, 35294.5, 35294.6, 35294.7, and 35294.8 of, to amend and renumber the headings of Article 3 (commencing with Section 32280) of, Article 4 (commencing with Section 32290) of, and Article 5 (commencing with Section 32295) of Chapter 2.5 of Part 19 of, and Article 10.3 (commencing with Section 35294) of Chapter 2 of Part 21 of, to add Article 5.3 (commencing with Section 32290) to Chapter 2.5 of Part 19 of, to repeal Section 35294.9 of, and to repeal Article 2 (commencing with Section 32270) of Chapter 2.5 of Part 19 of, the Education Code, relating to school safety.

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

SENATE BILL NO. 748—An act to add and repeal Chapter 11 (commencing with Section 1500) of Division 6 of the Military and Veterans Code, relating to veterans.

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

SENATE BILL NO. 808—An act to amend Sections 473, 473.1, and 473.2 of, to add Chapter 2 (commencing with Section 474) to Division 1.2 of, and to add a chapter heading to Division 1.2 of, the Business and Professions Code, and to add Article 8.5 (commencing with Section 9148.50) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of the Government Code, relating to boards and commissions.

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

SENATE BILL NO. 810—An act to amend Sections 4514.3, 4582.7, and 4582.75 of, and to add Section 4582.71 to, the Public Resources Code, relating to natural resources.

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

SENATE BILL NO. 857—An act to amend Sections 14043.1, 14043.15, 14043.65, 14043.75, 14044, 14123.25, 14124.12, and 14172.5 of, to amend the heading of Article 1.3 (commencing with Section 14043) of Chapter 7 of Part 3 of Division 9 of, and to add Sections 14043.26, 14043.27, 14043.28, 14043.29, 14043.341, 14043.47, 14105.05, and 14170.10 to, the Welfare and Institutions Code, relating to Medi-Cal.

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

SENATE BILL NO. 923—An act to amend Sections 13261, 13265, and 13269 of the Water Code, relating to water.

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

SENATE BILL NO. 926—An act to add and repeal Chapter 4 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to technology development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 1005—An act to amend Sections 1279, 1280, 1280.1, and 1280.2 of, and to add Section 1279.1 to, the Health and Safety Code, relating to health facilities.

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

SENATE BILL NO. 1016—An act to amend Sections 30101.7 of the Revenue and Taxation Code, relating to tobacco.

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

SENATE BILL NO. 1060—An act to amend Sections 6405, 6459, 7093.5, 7326, 8105, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332, 60022, 60507, 60604, 60606, and 60636 of, and to add Section 6451.5 to, the Revenue and Taxation Code, relating to taxation.

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

SENATE CONSTITUTIONAL AMENDMENT NO. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article I thereof, relating to access to government information.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 96—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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

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

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 309 (Chu)—An act to amend Section 1632 of the Civil Code, relating to contracts.

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 Chu moved a call of the Assembly.

Motion carried. Time, 12:27 p.m.

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

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, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1216 (Vargas)—An act to amend Section 51189 of the Government Code, and to amend Section 13108.5 of the Health and Safety Code, relating to fire safety.

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	Lieber	Plescia
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
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mullin	Strickland
Cogdill	Jackson	Nakanishi	Vargas
Cohn	Keene	Nakano	Wiggins
Corbett	Kehoe	Nation	Wolk
Correa	Koretz	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

NOES—4

Campbell	La Malfa	Leslie	Mountjoy
----------	----------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1216: Assembly Member Frommer, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 195 (Chan)—An act to amend Sections 51890 and 51913 of the Education Code, relating to health 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—63

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

NOES—15

Bates	Cogdill	La Suer	Plescia
Benoit	Cox	Leslie	Runner
Bogh	Harman	Maze	Strickland
Campbell	Haynes	Mountjoy	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 309**

At 12:33 p.m., on motion of Assembly Member Chu, 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. 309 by the following vote:

AYES—46

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

NOES—31

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

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 309: Assembly Member Cogdill, from "Aye" to "No"; Assembly Member Jerome Horton, from "Aye" to "Not Voting".

Above bill ordered enrolled.

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

ASSEMBLY BILL NO. 51 (Simitian)—An act to add Section 65302.4 to the Government Code, relating to land use planning.

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

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

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

AYES—47

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

NOES—30

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 182 (Harman)—An act to amend Sections 681.030, 700.010, 703.140, 704.010, 704.030, 704.040, 704.060, 704.080, 704.090, and 704.100 of, and to add Section 703.150 to, the Code of Civil Procedure, and to amend Section 17409 of the Welfare and Institutions Code, relating to exempt property.

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	Dutra	Leslie	Parra
Bates	Dutton	Levine	Pavley
Benoit	Dymally	Lieber	Plescia
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	Samuelian
Chan	Horton, Shirley	Maze	Simitian
Chavez	Houston	McCarthy	Spitzer
Chu	Jackson	Montanez	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	Pacheco	Mr. Speaker

NOES—1

Mountjoy

Above bill ordered enrolled.

ASSEMBLY BILL NO. 377 (Chan)—An act to amend Sections 42001 of, and to add Section 27150.3 to, 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—69

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

NOES—5

Dutton	La Malfa	Samuelian
Haynes	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 394 (Montanez)—An act to amend Sections 488.460 and 700.150 of the Code of Civil Procedure, to amend Sections 26721.2, 26738, and 26746 of, and to add Section 26723 to, the Government Code, and to amend Section 2892 of the Probate Code, relating to law enforcement fees.

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

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

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

AYES—59

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

NOES—15

Bates	Dutton	Maze	Samuelian
Bogh	Haynes	Mountjoy	Strickland
Campbell	Keene	Pacheco	Wyland
Cox	La Malfa	Runner	

Above bill ordered enrolled.

At 12:39 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ASSEMBLY BILL NO. 514 (Kehoe)—An act to add Section 111 to the Water Code, relating to water.

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

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

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

AYES—55

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

NOES—22

Aghazarian	Harman	Maddox	Pacheco
Bates	Haynes	Maldonado	Runner
Bogh	Houston	Maze	Samuelian
Campbell	Keene	McCarthy	Strickland
Cogdill	La Malfa	Mountjoy	
Cox	Leslie	Nakanishi	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 528 (Mullin)—An act to amend Section 1569.2 of, and to add Section 1569.7 to, the Health and Safety Code, relating to Alzheimer's disease.

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—49

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

NOES—29

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 544 (Montanez)—An act to amend Section 7026.1 of the Business and Professions Code, relating to contractors, and making an appropriation therefor.

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

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

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

AYES—59

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

NOES—19

Benoit	Dutton	La Suer	Nakanishi
Bogh	Harman	Leslie	Pacheco
Campbell	Haynes	Maze	Runner
Cogdill	Keene	McCarthy	Strickland
Daucher	La Malfa	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 635 (Wiggins)—An act to amend Section 6930 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

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

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

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

AYES—78

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 762 (Nunez)—An act to amend Section 5440 of, and to add Section 5442.13 to, the Business and Professions 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—74

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

NOES—1

Canciamilla

Above bill ordered enrolled.

ASSEMBLY BILL NO. 845 (Vargas)—An act to amend Sections 5102, 5111, 5133, 5311, and 5316 of, to add Sections 5142, 5143, and 5317.5 to, and to add Article 5.4 (commencing with Section 5243) to Chapter 7 of Division 2 of, the Public Utilities Code, relating to public utilities.

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

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

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

AYES—48

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

NOES—30

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 879 (Koretz)—An act to add Chapter 17 (commencing with Section 121348) to Part 4 of Division 105 of the Health and Safety Code, relating to health care.

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

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

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

AYES—52

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

NOES—26

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 996 (Wiggins)—An act to amend Section 676.10 of the Insurance Code, relating to insurance.

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

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

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

AYES—51

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

NOES—26

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 956 (Nation)—An act to add Section 44013 to the Education Code, relating to teacher credentialing.

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

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

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

AYES—58

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

NOES—19

Aghazarian	Cox	La Malfa	Richman
Bates	Daucher	La Suer	Runner
Bogh	Dutton	Maze	Samuelian
Campbell	Haynes	McCarthy	Strickland
Cogdill	Keene	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1044 (Negrete McLeod)—An act to amend Sections 11106 and 12051 of the Penal Code, relating to licenses to carry firearms.

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

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

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

AYES—69

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

NOES—6

Haynes	Maddox	Mountjoy
La Malfa	Maze	Samuelian

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1044: Assembly Member Dutton, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1095 (Corbett)—An act to add Section 70394 to the Government Code, relating to libraries.

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	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Samuelian
Chan	Horton, Shirley	Maze	Simitian
Chavez	Houston	McCarthy	Spitzer
Chu	Jackson	Montanez	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	Pacheco	Mr. Speaker
Dutra	Leslie	Parra	

NOES—3

Bogh	Haynes	Mountjoy
------	--------	----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1144 (Pavley)—An act to add Sections 89539.1 and 89539.2 to the Education Code, relating to the California State University.

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—49

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

NOES—28

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1209 (Nakano)—An act to amend Section 6254 of the Government Code, relating to public agency security.

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

NOES—None

Above bill ordered enrolled.

(NOTE: On September 13, 2003, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1209 and whereby the bill was ordered enrolled. See page 3949.)

ASSEMBLY BILL NO. 1303 (Simitian)—An act to amend Section 5201 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—78

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1309 (Goldberg)—An act to add Article 9.5 (commencing with Section 35277) to Chapter 2 of Part 21 of the Education Code, relating to school facilities.

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

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

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

AYES—47

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

NOES—31

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1354 (Berg)—An act to add Article 12 (commencing with Section 8125) to Chapter 1 of Part 3 of Division 6 of the Fish and Game Code, relating to fish, and making an appropriation therefor.

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

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

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

AYES—74

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

NOES—4

Haynes	La Malfa	La Suer	Mountjoy
--------	----------	---------	----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1392 (Bermudez)—An act to amend Section 2220.05 of the Business and Professions Code, relating to medical services.

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

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

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

AYES—51

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

NOES—27

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1400 (Wolk)—An act to add Section 17959.6 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—45

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

NOES—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
Cohn	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1476 (Chavez)—An act to amend Section 5019.65 of the Public Resources Code, relating to public resources.

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—63

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

NOES—11

Bogh	Haynes	McCarthy	Samuelian
Campbell	La Malfa	Mountjoy	Strickland
Dutton	La Suer	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1476: Assembly Member Keene, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1536 (Goldberg)—An act to amend Sections 12962, 12980, 12981, and 12983 of the Government Code, relating to fair employment and 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—44

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

NOES—33

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1683 (Pavley)—An act to add Sections 1596.817 and 1596.8595 to the Health and Safety Code, relating to child day care.

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

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

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

AYES—58

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

NOES—19

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

Above bill ordered enrolled.

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

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

Assembly Bill No. 561, to the Committee on Health;

Assembly Bill No. 663, to the Committee on Business and Professions.

At 1:19 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY JOINT RESOLUTION NO. 7 (Longville)—Relative to candidates for elective office.

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

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

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

AYES—62

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

NOES—15

Aghazarian	Dutton	La Suer	Mountjoy
Bogh	Haynes	Leslie	Runner
Campbell	Keene	Maze	Samuelian
Cox	La Malfa	McCarthy	

Above resolution ordered enrolled.

ASSEMBLY BILL NO. 820 (Nakanishi)—An act to add Article 2.75 (commencing with Section 127940) to Chapter 2 of Part 3 of Division 107 of the Health and Safety Code, relating to statewide health planning and development.

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

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

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

AYES—78

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

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 820: Assembly Member Mountjoy, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 587 (Ridley-Thomas)—An act to amend Section 2150 of the Elections Code, relating to voters.

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—45

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

NOES—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	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 833 (Steinberg)—An act to amend Sections 230 and 66271.7 of, and to add Sections 66271.6 and 66271.8 to, the Education Code, relating to sex equity in 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—65

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

NOES—13

Aghazarian	Daucher	La Suer	Strickland
Benoit	Haynes	Leslie	
Campbell	Keene	Mountjoy	
Cox	La Malfa	Samuelian	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 833: Assembly Members McCarthy, and Nakanishi, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 909 (Reyes)—An act to add and repeal Section 2898 of the Public Utilities Code, relating to telecommunications.

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

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:25 p.m.

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

ASSEMBLY BILL NO. 1086 (Laird)—An act to amend Section 1368 of 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—76

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

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1086: Assembly Member McCarthy, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1090 (Longville)—An act to amend, repeal, and add Section 40420 of the Health and Safety Code, relating to air quality.

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	Dutra	Leno	Plescia
Bates	Dutton	Leslie	Reyes
Benoit	Dymally	Levine	Richman
Berg	Frommer	Liu	Ridley-Thomas
Bermudez	Garcia	Longville	Runner
Bogh	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Maddox	Samuelian
Campbell	Harman	Maldonado	Simitian
Canciamilla	Haynes	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	La Malfa	Nunez	Mr. Speaker
Daucher	La Suer	Pacheco	
Diaz	Laird	Parra	

NOES—2

Matthews Mountjoy

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1191 (Wiggins)—An act to amend Section 678 of, and to add Chapter 11.5 (commencing with Section 679.9) to Part 1 of Division 1 of, the Insurance Code, relating to property insurance.

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

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

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

AYES—46

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

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1220 (Berg)—An act to add and repeal Section 104141 of the Health and Safety Code, relating to disease prevention.

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—53

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

NOES—25

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1241 (Parra)—An act to add and repeal Section 128401 of the Health and Safety Code, relating to health professions.

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

NOES—2

Haynes	Mountjoy
--------	----------

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 909**

At 1:33 p.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 909 by the following vote:

AYES—42

Berg	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	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	Parra	Mr. Speaker
Frommer	Liu	Pavley	
Goldberg	Longville	Reyes	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

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

Pursuant to Assembly Rule 78, Assembly Member Leno announced his intention to request that Senate Bill No. 1061 be removed from the inactive file.

BILLS REMOVED FROM SPECIAL CONSENT CALENDAR

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

Assembly Bill No. 2, on request of Assembly Member Bogh.

**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. 652 to the Committee on Insurance.

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

ASSEMBLY BILL NO. 1330 (Simitian)—An act to amend Section 8702 of, and to add and repeal Article 6 (commencing with Section 8780) of Chapter 4 of Part 6 of, the Education Code, relating to instructional programs.

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

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

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

AYES—52

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

NOES—26

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1545 (Simitian)—An act to amend Sections 21091 and 21092.2 of the Public Resources Code, relating to environmental quality.

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

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

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

AYES—58

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

NOES—20

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1389 (Ridley-Thomas)—An act to add Section 7912 to the Public Utilities Code, relating to public utilities.

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

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

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

AYES—45

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

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY JOINT RESOLUTION NO. 38 (Firebaugh)—Relative to federal formula grants to states.

Resolution presented by Assembly Member Parra.

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

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

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

AYES—72

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

NOES—None

Above resolution ordered enrolled.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1041, 1043, 27, 300, and 187 were continued until the next legislative day.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 125 (Chesbro)—An act to amend Section 4850 of the Labor Code, relating to workers' compensation.

Bill read third time.

Motion to Amend

Assembly Member Maddox moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—55

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

NOES—21

Aghazarian	Harman	Matthews	Samuelian
Bates	Haynes	Maze	Strickland
Benoit	Houston	McCarthy	Wyland
Campbell	Keene	Mountjoy	
Cogdill	La Malfa	Nakanishi	
Cox	Leslie	Plescia	

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

SENATE BILL NO. 656 (Sher)—An act to add Section 39614 to the Health and Safety Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Chan moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—45

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

NOES—31

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

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Chan to Senate Bill No. 656: Assembly Member Nakanishi, from “Aye” to “No”.

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

SENATE BILL NO. 278 (Ducheny)—An act to amend Section 3041 of, and to add Title 2.5 (commencing with Section 3550) to Part 3 of, the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—47

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Richman
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	Parra	Mr. Speaker
Dutra	Lieber	Pavley	

NOES—31

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
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 reprinted and to be returned to the third reading file.

SENATE BILL NO. 551 (Speier)—An act to add Section 758.5 to the Insurance Code, relating to auto insurance.

Bill read third time.

Motion to Amend

Assembly Member Campbell moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

NOES—None

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

SENATE BILL NO. 99 (Burton)—An act to add Section 10205.1 to the Government Code, relating to state civil service.

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

Bill passed by the following vote:

AYES—55

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

NOES—23

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 642 (Hollingsworth)—An act to amend Section 485 of, and to add Sections 5011 and 5012 to, the Food and Agricultural Code, relating to quarantines.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Steinberg announced his intention to request that Senate Bill No. 730 be removed from the inactive file.

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

SENATE BILL NO. 947 (Ducheny)—An act to amend Section 6086.7 of the Business and Professions Code, and to amend Sections 7810 and 7950 of, and to add Section 8620 to, the Family Code, and to amend Section 10553.1 of the Welfare and Institutions Code, relating to Native American children.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

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

SENATE BILL NO. 348 (Karnette)—An act to amend Section 12302 of the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Assembly Member Cogdill moved the adoption of amendments.

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

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. 348 to the Committee on Local Government.

(NOTE: On September 5, 2003, the action was rescinded whereby Senate Bill No. 348 was re-referred to the Committee on Local Government pursuant to Assembly Rule 77.2. See page 3442.)

CAUCUS ANNOUNCEMENTS

At 2:03 p.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 2:04 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

At 2:04 p.m., Assembly Member Jackson announced that the Democratic Caucus would meet immediately in the Assembly Lounge.

RECONVENED

At 3:07 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. 60 (Cedillo)—An act to amend Sections 1653.5, 12800, 12801, 12801.5, and 13000 of, and to add Sections 12800.8, 12800.85, 12800.9, 12801.2, 12801.9, and 13003.5 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Motion to Amend

Assembly Member Nunez moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—40

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

NOES—35

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

Vote Changes

By unanimous consent, the following vote changes were permitted on amendments offered by Assembly Member Nunez to Senate Bill No. 60: Assembly Members Frommer, Jackson, and Wolk, from "Aye" to "No".

Bill ordered reprinted.

Request for Unanimous Consent to Suspend Rules

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 69(d) to permit consideration of Senate Bill No. 60, as amended, without reference to file.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend Assembly Rule 69(d) to permit consideration of Senate Bill No. 60, as amended, without reference to file.

Assembly Member Nunez seconded the motion.

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

AYES—45

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

NOES—30

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

**Further Consideration of Senate Bill No. 60
Without Reference to File**

SENATE BILL NO. 60 (Cedillo)—An act to amend Sections 1653.5, 12800, 12801, 12801.5, 12814.5, and 13000 of, and to add Sections 12801.2 and 12801.9 to, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

AYES—44

Berg	Dymally	Lieber	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	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	Parra	Mr. Speaker

NOES—31

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

Bill ordered transmitted to the Senate immediately.

At 5:35 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 377 be removed from the inactive file.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 954 and 97 for hearing in the Committee on Education, on Thursday, September 4, 2003.

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. 685, 1370, 1306, and 534, on request of Assembly Member Plescia.

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

SENATE BILL NO. 88 (Chesbro)—An act to add Section 23399.6 to the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Assembly Member Wiggins moved the adoption of amendments.

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

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, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—62

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

NOES—13

Bates	Dutton	La Suer	Wyland
Benoit	Harman	Maze	
Bogh	Haynes	Mountjoy	
Campbell	La Malfa	Runner	

Bill ordered transmitted to the Senate:

(NOTE: On September 4, 2003, the action was rescinded whereby Senate Bill No. 78 was passed, and whereby the bill was ordered transmitted to the Senate. See page 3428.)

SENATE BILL NO. 92 (Speier)—An act to add and repeal Article 13 (commencing with Section 18841) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—72

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

NOES—3

Bogh	Haynes	Mountjoy
------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 92: Assembly Member Goldberg, from “Aye” to “Not Voting”.

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. 434 (Escutia)—An act to amend Sections 25533, 25533.5, and 29544 of the Corporations Code, to amend Sections 3309.5, 11180.5, 11181, 11183, 11184, 11185, 11186, 11187, and 11188 of, and to add Article 10 (commencing with Section 12657) to Chapter 6 of Part 2 of Division 3 of Title 2 of, the Government Code, and to add Section 131 to the Penal Code, relating to investigations.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

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

SENATE BILL NO. 577 (Kuehl)—An act to amend Section 1798.24b of the Civil Code, and to amend Sections 4514.3, 4900, 4901, 4902, 4903, 4905, and 5328.06 of, and to add Section 4906 to, the Welfare and Institutions Code, relating to public social services.

Bill read third time.

Motion to Amend

Assembly Member Lieber moved the adoption of amendments.

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

SENATE BILL NO. 774 (Vasconcellos)—An act to amend Section 4145 of, and to repeal Section 4146 of, the Business and Professions Code, to amend Section 11364 of, and to add Chapter 16 (commencing with Section 121350) to Part 4 of Division 105 of, the Health and Safety Code, and to amend Sections 41770 and 41900 of, and to add Section 41803 to, the Public Resources Code, relating to hypodermic needles and syringes.

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

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, 5:59 p.m.

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

SENATE BILL NO. 796 (Dunn)—An act to add Part 13 (commencing with Section 2698) to Division 2 of the Labor Code, relating to employment.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Spitzer, Aghazarian, and Maddox, demanded a roll call.

The roll was called, and the Dutra amendments adopted by the following vote:

AYES—44

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

NOES—30

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

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

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

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

Bill passed by the following vote:

AYES—74

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

NOES—3

Bogh	Haynes	Strickland
------	--------	------------

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 774**

At 6:01 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.

Senate Bill No. 774 passed by the following vote:

AYES—41

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

NOES—33

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

Bill ordered transmitted to the Senate immediately.

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

SENATE BILL NO. 210 (Burton)—An act to amend Sections 6750, 6752, and 6753 of the Family Code, and to add Section 1308.9 to the Labor Code, relating to minors.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

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

SENATE BILL NO. 155 (Scott)—An act to amend Section 1091 of the Government Code, relating to public officers.

Bill read third time.

Motion to Amend

Assembly Member Salinas moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—64

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

NOES—3

Campbell	La Malfa	Strickland
----------	----------	------------

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, and presented by Assembly Member Vargas.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutra	Levine	Parra
Bates	Dutton	Lieber	Pavley
Benoit	Dymally	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	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	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

(NOTE: On September 5, 2003, the action was rescinded whereby Senate Bill No. 620 was passed, and whereby the bill was ordered transmitted to the Senate. See page 3492.)

SENATE BILL NO. 305 (Ducheny)—An act to amend Section 7072 of the Government Code, and to amend Sections 18021.7, 50530.5, and 50545 of the Health and Safety Code, relating to local development.

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

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1075 (Committee on Health and Human Services)—An act to add Section 138.6 to the Health and Safety Code, relating to women's health.

Bill read third time.

Motion to Amend

Assembly Member Chu moved the adoption of amendments.

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

SENATE BILL NO. 1072 (Burton)—An act to amend Section 82036 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:12 p.m.

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

SENATE BILL NO. 651 (McPherson)—An act to amend Section 52335.2 of the Education Code, relating to school finance.

Bill read third time.

Motion to Amend

Assembly Member Liu moved the adoption of amendments.

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

SENATE BILL NO. 156 (Burton)—An act relating to child custody.

Bill read third time.

Motion to Amend

Assembly Member Corbett 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. 236 (Bermudez)—An act to amend Section 2221 of, and to add Section 2232 to, the Business and Professions Code, relating to medicine.

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

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

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

AYES—76

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 591 (Strickland)—An act to amend Section 51226.1 of the Education Code, relating to school 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—76

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
Diaz	Laird	Nunez	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 948 (Nunez)—An act to add Section 2115 to the Business and Professions Code, relating to physicians and surgeons.

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

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

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

AYES—71

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

NOES—4

Campbell	Haynes	Mountjoy	Samuelian
----------	--------	----------	-----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1038 (Negrete McLeod)—An act to amend Sections 45207 and 88207 of, and to add Section 45120.2 to, the Education Code, relating to classified 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—51

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

NOES—23

Aghazarian	Daucher	Keene	Plescica
Benoit	Dutton	La Malfa	Runner
Bogh	Garcia	La Suer	Spitzer
Campbell	Harman	Maze	Strickland
Cogdill	Haynes	McCarthy	Wyland
Cox	Houston	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1218 (Dutra)—An act to amend Sections 25299.50.1 and 25299.57 of, and to add Article 6.5 (commencing with Section 25299.64) to Chapter 6.75 of Division 20 of, the Health and Safety Code, relating to underground storage tanks, and making an appropriation therefor.

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

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

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

AYES—57

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

NOES—20

Aghazarian	Cogdill	La Malfa	Plescia
Bates	Cox	La Suer	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Haynes	McCarthy	Strickland
Campbell	Keene	Mountjoy	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1371 (Yee)—An act to amend Sections 24173, 24176, and 24178 of the Health and Safety Code, relating to medical research.

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

NOES—3

Campbell	Haynes	La Suer
----------	--------	---------

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 933 (Dunn)—An act to amend Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Nunez 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. 933 to the Committee on Judiciary.

SENATE BILL NO. 1025 (Escutia)—An act to amend Section 12955.1 of, and to add Section 12955.1.1 to, the Government Code, relating to fair housing.

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

Bill passed by the following vote:

AYES—48

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

NOES—29

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

Bill ordered transmitted to the Senate.

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.labc, 1203.3, 3520, 11171, 12022.5, 12022.53, 13864, and 14309 of, to add Sections 803.5 to, 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 the Welfare and Institutions Code, relating to public safety.

Bill read third time, and presented by Assembly Member La Suer.

Bill passed by the following vote:

AYES—75

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1065 (Committee on Revenue and Taxation)—An act to amend Sections 17024.5 and 23051.5 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—45

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

NOES—31

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

Bill ordered transmitted to the Senate.

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, and presented by Assembly Member Jackson.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 6:55 p.m.

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

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. 125 (Nation)—Relative to Breast Cancer Awareness Month.

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. 132 (Correa)—Relative to Red Ribbon 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. 134 (Cogdill)—Relative to California Small and Rural Telecommunications Week.

Resolution read third time, passed, 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. 136 (Berg)—Relative to Assisted Living Week.

Resolution read third time, passed, 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. 49 (Dymally)—Relative to immigration.

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

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

Consent Calendar—Senate Bills

SENATE BILL NO. 338 (Scott)—An act to amend Sections 48800, 48800.5, 48802, 76001, and 76002 of the Education Code, relating to public schools.

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 CONCURRENT RESOLUTION NO. 47 (Alpert)—Relative to eugenics.

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

*(For the vote on the above resolution, 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—77

Aghazarian	Dutton	Lieber	Plescia
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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

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. 332 (Mullin)—An act to amend Sections 21670, 21674.7, 21676, 21676.5, 21677, and 21678 of the Public Utilities Code, relating to airports.

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. 728 (Leno)—An act to amend Sections 11000.1 and 11018.12 of the Business and Professions Code, to amend Section 1675 of the Civil Code, and to amend Sections 66427 and 66452.4 of the Government Code, relating to subdivided lands.

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. 986 (Jerome Horton)—An act to add Section 38 to the Revenue and Taxation Code, relating to taxation.

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. 1301 (Simitian)—An act to add Section 25658.2 to the Business and Professions Code, relating to alcoholic beverages.

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. 962 (La Suer)—An act to amend and renumber Section 305.5 of the Welfare and Institutions Code, relating to minors.

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

AYES—76

Aghazarian	Dutra	Levine	Parra
Bates	Dutton	Lieber	Pavley
Benoit	Dymally	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Campbell	Haynes	Mathews	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	Pacheco	Mr. Speaker

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 962: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY CONCURRENT RESOLUTION NO. 106 (Chan)—Relative to children’s vision.

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

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

ASSEMBLY BILL NO. 123 (Cohn)—An act to amend Sections 1800 and 1805 of the Business and Professions Code, and to amend Section 13401.5 of the Corporations Code, relating to professional corporations.

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. 620 (Leno)—An act to amend Sections 10177 and 10233 of, to add Article 6 (commencing with Section 10237) to Chapter 3 of Part 1 of Division 4 of, and to repeal Section 10229 of, the Business and Professions Code, and to amend Section 25102.5 of the Corporations Code, relating to real estate.

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. 1005 (Dutra)—An act to add Section 12401.71, to the Insurance Code, relating to title 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. 1398 (Vargas)—An act to amend Section 25664 of the Business and Professions Code, relating to alcoholic beverages.

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. 1718 (Committee on Transportation)—An act to amend Sections 116.870 and 116.880 of the Code of Civil Procedure, to repeal Section 229.40 of the Streets and Highways Code, and to amend Sections 544, 3014, 3015, 3050.1, 3050.2, 3050.3, 3050.4, 3050.6, 3050.7, 3052, 3062, 3066, 3067, 4453, 12810.5, 16076, 24403, and 40508 of 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. 1738 (Committee on Health)—An act to amend Sections 113750, 113785, 113895, 113995, 113998, 114002, 114055, 114056, 114265, 114294, 114300, 114302, 114303, 114304, 114313, 114314, 114315, 114319, 114332.3, 114362, and 114367.5 of, to add Sections 113750.1, 113817, 113841, 114287.5, and 114305 to, and to repeal Section 114322 of, the Health and Safety Code, relating to retail 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.)*

Special Consent Calendar Roll Call

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

AYES—77

Aghazarian	Dutton	Lieber	Plescia
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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 1072**

At 6:56 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1072 refused adoption by the following vote:

AYES—46

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

NOES—None

**Motion to Reconsider Urgency Clause to Senate Bill No. 1072
on Next Legislative Day**

Assembly Member Levine moved to reconsider on the next legislative day the vote whereby the urgency clause to Senate Bill No. 1072 was this day refused adoption.

Senate Bill No. 1072 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 65**

At 6:56 p.m., on motion of Assembly Member Jackson, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 65 passed by the following vote:

AYES—45

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

NOES—32

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

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of McClatchy High School students Kevin Keane and Travis Whitaker.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pfc. Pablo Manzano, of Heber.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Marvin H. Lewis, Retired Judge of the Ventura County Superior Court.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robin Real, of San Fernando.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced the following session schedule:

Wednesday, September 3rd, Floor Session, 10 a.m.;

Thursday, September 4th, Floor Session, 9:30 a.m.;

Friday, September 5th, Floor Session, 10 a.m.;

Saturday, September 6th and Sunday, September 7th, Floor Session, upon Call of the Speaker.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorothy Ellen Summerhays, of San Juan Capistrano.

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 Nicholas Raphael, of Redway and Jamie E. Westoby, of Santa Rosa.

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Winifred Paine, of Monterey Park.

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mario Guerrero, of Grand Terrace.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emilia Hurtado De Rascón, of Los Angeles.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Miriam Gholikely, of Daly City.

Assembly Member Plescia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of George “Buddy” Murfey and Barbara Murfey, of La Jolla.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard S. Johnson, of Lancaster and Lowell Martin Smith, of Palmdale.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Terry W. O’Brien of Sacramento.

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. 179, Concurrence: Bogh, Campbell, Canciamilla, Chavez, Chu, Correa, Garcia, Shirley Horton, Houston, Keene, Koretz, Leslie, Levine, Maddox, Maldonado, Montanez, Richman, Runner, and Strickland—Aye.

Assembly Bill No. 1216, Concurrence: Bogh, Canciamilla, Chavez, Garcia, Shirley Horton, Houston, Keene, Koretz, Levine, Maddox, Maldonado, and Strickland—Aye; Campbell and Leslie—No.

Assembly Bill No. 195, Concurrence: Calderon, Canciamilla, Chavez, Daucher, Garcia, Shirley Horton, Houston, Keene, Koretz, Levine, Maddox, Maldonado, and Pacheco—Aye; Bates, Bogh, Leslie, and Strickland—No.

Assembly Bill No. 309, Concurrence: Canciamilla, Chavez, Koretz, Levine, and Maddox—Aye; Bogh, Garcia, Shirley Horton, Houston, Keene, Leslie, Maldonado, Strickland, and Wyland—No.

Assembly Bill No. 51, Concurrence: Canciamilla, Chavez, Koretz, Levine, and Maddox—Aye; Bogh, Garcia, Shirley Horton, Houston, Keene, Leslie, Maldonado, Spitzer, and Strickland—No.

Assembly Bill No. 182, Concurrence: Bogh, Canciamilla, Chavez, Frommer, Garcia, Shirley Horton, Houston, Keene, Koretz, Leslie, Levine, Maddox, Simitian, and Strickland—Aye.

Assembly Bill No. 377, Concurrence: Bogh, Canciamilla, Correa, Cox, Garcia, Shirley Horton, Houston, Koretz, Levine, Maddox, Simitian, and Strickland—Aye; La Malfa and Samuelian—No.

Assembly Bill No. 394, Concurrence: Aghazarian, Canciamilla, Correa, Daucher, Garcia, Shirley Horton, Houston, Koretz, Leslie, Levine, Maddox, Plescia, and Simitian—Aye; Bates, Bogh, Dutton, Keene, La Malfa, Mountjoy, and Strickland—No.

Assembly Bill No. 514, Concurrence: Frommer, Garcia, Shirley Horton, Koretz, Levine, Liu, and Negrete McLeod—Aye; Bates, Bogh, Houston, Keene, Maddox, Maldonado, and Pacheco—No.

Assembly Bill No. 528, Concurrence: Correa, Koretz, Levine, Liu, Maddox, and Maldonado—Aye; Bogh, Garcia, Shirley Horton, Houston, Keene, and Pacheco—No.

Assembly Bill No. 544, Concurrence: Aghazarian, Garcia, Shirley Horton, Houston, and Levine—Aye; Bogh, Daucher, Keene, and Pacheco—No.

Assembly Bill No. 635, Concurrence: Bogh, Garcia, Houston, Keene, and Levine—Aye.

Assembly Bill No. 762, Concurrence: Bogh, Garcia, Houston, Keene, Levine, Mountjoy, and Wiggins—Aye.

Assembly Bill No. 845, Concurrence: Houston and Levine—Aye; Bogh, Garcia, and Keene—No.

Assembly Bill No. 879, Concurrence: Garcia and Nakanishi—Aye; Bogh, Houston, and Keene—No.

Assembly Bill No. 996, Concurrence: Garcia and Shirley Horton—Aye; Houston and Keene—No.

Assembly Bill No. 956, Concurrence: Correa, Garcia, Shirley Horton, Houston, and Pacheco—Aye; Bates, Daucher, Dutton, Keene, and Samuelian—No.

Assembly Bill No. 1044, Concurrence: Frommer, Garcia, Houston, Jackson, and Simitian—Aye; La Malfa—No.

Assembly Bill No. 1095, Concurrence: Dutton, Garcia, Houston, and Pacheco—Aye.

Assembly Bill No. 1144, Concurrence: Parra—Aye; Bates, Daucher, Garcia, and Pacheco—No.

Assembly Bill No. 1209, Concurrence: Garcia, Keene, Levine, Pacheco, and Simitian—Aye.

Assembly Bill No. 1303, Concurrence: Correa, Garcia, La Malfa, Pacheco, and Plescia—Aye.

Assembly Bill No. 1309, Concurrence: Correa and Simitian—Aye; Garcia, Pacheco, and Strickland—No.

Assembly Bill No. 1354, Concurrence: Calderon, Correa, Garcia, Koretz, Nakano, Pacheco, Simitian, Strickland, and Wyland—Aye.

Assembly Bill No. 1392, Concurrence: Correa, Jackson, Koretz, Liu, and Simitian—Aye; Daucher, Garcia, Shirley Horton, Houston, Pacheco, and Strickland—No.

Assembly Bill No. 1400, Concurrence: Correa, Levine, and Simitian—Aye; Garcia, Pacheco, and Strickland—No.

Assembly Bill No. 1476, Concurrence: Correa, Daucher, Garcia, Nakanishi, Pacheco, and Simitian—Aye; La Malfa, Plescia, and Strickland—No.

Assembly Bill No. 1536, Concurrence: Simitian—Aye; Garcia and Strickland—No.

Assembly Bill No. 1683, Concurrence: Garcia, Plescia, and Wyland—Aye; Samuelian and Strickland—No.

Assembly Joint Resolution No. 7, Concurrence: Garcia, Koretz, Strickland, and Wyland—Aye.

Assembly Bill No. 820, Concurrence: Garcia, Koretz, and Strickland—Aye.

Assembly Bill No. 587, Concurrence: Liu—Aye; Correa, Garcia, and Strickland—No.

Assembly Bill No. 833, Concurrence: Plescia and Spitzer—Aye; Aghazarian, Samuelian, and Strickland—No.

Assembly Bill No. 1086, Concurrence: Hancock, Houston, and Samuelian—Aye.

Assembly Bill No. 1191, Concurrence: Simitian—Aye; Garcia—No.

Assembly Bill No. 1220, Concurrence: Dymally, Garcia, Hancock, and Wiggins—Aye.

Assembly Bill No. 909, Concurrence: Nation—Aye; Garcia—No.

Assembly Bill No. 1330, Concurrence: Garcia, Shirley Horton, and Maddox—Aye.

Assembly Bill No. 1545, Concurrence: Maddox, Plescia, and Yee—Aye; Houston, Pacheco, and Spitzer—No.

Assembly Bill No. 1389, Concurrence: Simitian—Aye; Garcia, Shirley Horton, Houston, and Maddox—No.

Assembly Joint Resolution No. 38, Concurrence: Shirley Horton, Keene, Plescia, Samuelian, and Wyland—Aye.

Senate Bill No. 125, Maddox Amendments: Garcia, Shirley Horton, Liu, and Maldonado—Aye; Bates—No.

Senate Bill No. 656, Chan Amendments: Correa and Nunez—Aye; Bogh, La Malfa, McCarthy, and Samuelian—No.

Senate Bill No. 278 and Urgency, Lowenthal Amendments: Bogh, Houston, Maddox, Pacheco, and Plescia—No.

Senate Bill No. 551, Campbell Amendments: Correa, Jerome Horton, Keene, and Simitian—Aye.

Senate Bill No. 99: Correa, Houston, Simitian, and Steinberg—Aye.

Senate Bill No. 642: Maddox and Simitian—Aye.

Senate Bill No. 60, Nunez Amendments: Shirley Horton—No.

Senate Bill No. 60: Keene—No.

Senate Bill No. 78: Canciamilla, Samuelian, and Wiggins—Aye.

Senate Bill No. 92: Canciamilla, Daucher, Dutton, and Samuelian—Aye.

Senate Bill No. 796, Dutra Amendments: Canciamilla, Cohn, Nakano, Pavley, and Simitian—Aye; Daucher, Dutton, Garcia, and Runner—No.

Senate Bill No. 801: Cohn, Cox, Daucher, Dutton, Nakano, and Runner—Aye.

Senate Bill No. 774: Daucher and Dutton—No.

Senate Bill No. 155, Salinas Amendments: Aghazarian, Bates, Benoit, Cohn, Cox, Daucher, and Nakano—Aye.

Senate Bill No. 620: Cohn, Daucher, Dutton, and Nakano—Aye.

Senate Bill No. 305: Cohn, Daucher, Dutton, Nakano, and Simitian—Aye.

Assembly Bill No. 236, Concurrence: Cohn and Nakano—Aye.

Assembly Bill No. 591, Concurrence: Cohn, Matthews, and Nakano—Aye.

Assembly Bill No. 948, Concurrence: Cohn and Nakano—Aye.

Assembly Bill No. 1038, Concurrence: Cohn, Maddox, Maldonado, and Nakano—Aye; Garcia—No.

Assembly Bill No. 1218, Concurrence: Cohn, Dutton, and Nakano—Aye.

Assembly Bill No. 1371, Concurrence: Cohn and Nakano—Aye.

Senate Bill No. 1025: Cohn, Garcia, and Nakano—Aye.

Senate Bill No. 851: Cohn and Nakano—Aye.

Senate Bill No. 1065: Cohn and Nakano—Aye.

Consent Calendar: Nakano—Aye.

Special Consent Calendar: Nakano—Aye.

Senate Bill No. 1072 and Urgency: Nakano—Aye.

Senate Bill No. 65: Diaz, Garcia, and Jerome Horton—Aye.

MOTION TO ADJOURN

At 7:02 p.m., Assembly Member Bogh moved that the Assembly do now adjourn.

Assembly Member Mountjoy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 7:02 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

SPECIAL COMMITTEE MEETINGS

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

Education, on Thursday, September 4, 2003, off the Floor during Session;

Governmental Organization, on Friday, September 5, 2003;

Judiciary, on September 5, 2003, at 8 a.m., in Room 4202;

Local Government, on Friday, September 5, 2003, half an hour prior to Session, in Room 126;

Business and Professions, on Friday, September 5, 2003, at 9 a.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 2, 2003

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

Assembly Bill No. 16

Assembly Bill No. 137

Assembly Bill No. 317

Assembly Bill No. 324

Assembly Bill No. 444

Assembly Bill No. 654

Assembly Bill No. 807

Assembly Bill No. 915

Assembly Bill No. 941

Assembly Bill No. 1181

Assembly Bill No. 1250

Assembly Bill No. 1496

Assembly Bill No. 1675

Assembly Bill No. 1678

Assembly Bill No. 1689

Assembly Bill No. 1710

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of September, 2003, at 3:15 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 7:02 p.m., pursuant to the motion by Assembly Member Bogh, the Assembly adjourned until 10 a.m., Wednesday, September 3, 2003, out of respect to the memory of Dorothy Ellen Summerhays, on motion of Assembly Member Bates; out of respect to the memory of Winifred Paine, on motion of Assembly Member Chu; out of respect to the memory of Mario Guerrero, on motion of Assembly Member Dutton; out of respect to the memory of Emilia Hurtado De Rascón, on motion of Assembly Member Frommer; out of respect to the memory of Pfc. Pablo Manzano, on motion of Assembly Member Garcia; out of respect to the memory of Miriam Gholikely, on motion of Assembly Member Mullin; out of respect to the memory of Richard S. Johnson and Lowell Martin Smith, on motion of Assembly Member Runner; out of respect to the memory of Terry W. O'Brien, on motion of Assembly Member Steinberg; out of respect to the memory of Nicholas Raphael and Jamie E. Westoby, on motion of Assembly Member Berg; out of respect to the memory of Hon. Marvin H. Lewis, on motion of Assembly Member Jackson; out of respect to the memory of Robin Real, on motion of Assembly Member Frommer; out of respect to the memory of George "Buddy" Murfey and Barbara Murfey, on motion of Assembly Member Plescia; and out of respect to the memory of Kevin Keane and Travis Whitaker, on motion of Assembly Member Steinberg.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 2, 2003

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

AB	RN	SB	RN
242	0311744	434	0317934
		436	0318392
		460	0318466
		549	0318553
		551	0318630
		577	0318753
		582	0318611
		606	0318579
		611	0318366
		614	0318692
		649	0317765
		651	0318551
		656	0318646
		678	0317638
		694	0317605
		719	0318703
		748	0317558
		796	0318586
		808	0318131
		810	0318257
		817	0318542
		857	0318605
		922	0318958
		923	0317488
		926	0318725
		933	0317916
		947	0318538
		1005	0318153
		1016	0318267
		1060	0318463
		1075	0318541

Daily Total: 60

Cumulative Total: 2711

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 3, 2003

**ONE HUNDRED TWENTY-SECOND SESSION DAY
TWO HUNDRED SEVENTY-SIXTH 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
Wednesday, September 3, 2003

The Assembly met at 10 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 Goldberg moved a quorum call of the Assembly.
Motion carried. Time, 10:01 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 10:08 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	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Campbell	Haynes	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mountjoy	Strickland
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	Pacheco	
Dutra	Leslie	Parra	

PRAYER

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

O Lord, As we gather this morning, we begin our day with prayer and our expression of faith in You. We pray that all humanity and each of us personally may be filled with the peace of Almighty God, Who is our refuge and fortress (Psalm 31:3). You are the God of mercy and life. And we ask that You shine Your countenance upon our world and grant us peace.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Dutton 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:

Because of illness: Assembly Member Firebaugh.

Because of illness in her family: Assembly Member Oropeza.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 3, 2003

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

Assembly Bill No. 242

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

AUTHOR'S AMENDMENTS**Committee on Health**

September 3, 2003

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

Assembly Bill No. 254

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

FROMMER, Chair

ASSEMBLY BILL NO. 254—An act to amend Section 10116.5 of the Insurance Code, relating to health.

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.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 24

Senate Bill No. 495

Senate Bill No. 56

Senate Bill No. 556

Senate Bill No. 87

Senate Bill No. 588

Senate Bill No. 262

Senate Bill No. 680

Senate Bill No. 352

Senate Bill No. 700

Senate Bill No. 412

Senate Bill No. 704

Senate Bill No. 420

Senate Bill No. 971

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 33

Senate Bill No. 686

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

REQUEST FOR PHOTOGRAPHER

Assembly Member Bermudez was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Dutton was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced his daughter Kara Dutton.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Chan was granted unanimous consent that Senate Bill No. 651 be referred from the third reading file to the Committee on Education.

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. 966, on request of Assembly Member Plescia.

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 5, 15, 36, 41, 71, 130, 168, 216, 244, 247, 248, 257, 295, 306, 314, 315, 358, 403, 436, 460, 549, 582, 606, 611, 614, 649, 678, 694, 719, 748, 808, 810, 857, 923, 926, 1005, 1016, 1060, and 96 ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 19—An act to amend Sections 42239 and 42239.1 of, to add Sections 37252.5 and 37252.6 to, and to repeal Sections 37252.2 and 37252.8 of, the Education Code, relating to public schools.

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

SENATE BILL NO. 25—An act to amend Sections 1785.11.1, 1785.11.6, 1785.15, and 1798.85 of the Civil Code, relating to personal information.

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

SENATE BILL NO. 81—An act to amend Section 44259.1 of the Education Code, relating to teacher training.

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

SENATE BILL NO. 219—An act to amend Section 17004.7 of the Vehicle Code, relating to vehicles.

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

SENATE BILL NO. 364—An act to amend Sections 144, 473.3, 2001, 2020, 2099.5, 2153.5, 2220.1, 2531, 3010.1, 3014.6, 6732, 6732.3, and 6732.4 of the Business and Professions Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 407—An act to add Chapter 6.4 (commencing with Section 30030) to Division 3 of Title 3 of the Government Code, and to add Section 97.5 to the Revenue and Taxation Code, relating to local government finance.

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

SENATE BILL NO. 578—An act to amend Section 6108 of the Public Contract Code, relating to public contracts.

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

SENATE BILL NO. 23—An act to amend Sections 14528.1, 14549, 14549.5, 14549.6, 14552.5, 14552.51, 14560, 14560.5, 14561, 14573.51, 14575, 14575.1, 14581, and 14585 of, and to add Sections 14513.5, 14575.5, and 14582 to, the Public Resources Code, relating to beverage containers, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Natural Resources read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 3—An act to add Section 1376 to the Penal Code, relating to the death penalty.

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

SENATE BILL NO. 602—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

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

SENATE BILL NO. 640—An act to add Article 11 (commencing with Section 10286) to Chapter 1 of Part 2 of Division 2 of the Public Contract Code, relating to state contracts.

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

SENATE BILL NO. 1008—An act to amend Sections 999, 999.2, 999.5, 999.7, and 999.9 of the Military and Veterans Code, and to add Section 10115.9 to the Public Contract Code, relating to veterans.

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

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 299 (Lowenthal)—An act to add Section 5386.5 to the Public Utilities Code, and to add Section 21100.4 to 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—70

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

NOES—7

Campbell	Haynes	La Suer	Strickland
Dutton	La Malfa	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1576 (Liu)—An act to amend Sections 19210, 19211, 19212, 19213, 19215, and 19216 of the Health and Safety Code, relating to water heaters.

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

NOES—5

Haynes	La Malfa	Mountjoy
Keene	La Suer	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1774 (Committee on Banking and Finance)—An act to amend Sections 261, 772, 1500, 1560, 1808, 1900, 3375.5, 4839, 4843, 4946, 8152, 14250, 14354, 16151, 16701, 31507, and 33903 of, to amend and renumber Sections 4879.12, 4879.13, and 4879.135 of, and to repeal Section 8012 of, the Financial Code, relating to financial institutions.

Bill presented by Assembly Member Wiggins.

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

NOES—3

Haynes	La Suer	Mountjoy
--------	---------	----------

Above bill ordered enrolled.

BILLS RETURNED TO THIRD READING FILE

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

- Senate Bill No. 644**, on request of Assembly Member Chan;
- Senate Bill No. 1061**, on request of Assembly Member Kehoe;
- Senate Bill No. 730**, on request of Assembly Member Steinberg;
- Senate Bill No. 377**, on request of Assembly Member Chan.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1041, 1043, 27, 300, 1072, and 187 were continued until the next legislative day.

BILLS PLACED ON THE INACTIVE FILE

The following bill was placed upon the inactive file:

- Senate Bill No. 666**, on request of Assembly Member Reyes.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Dutra announced his intention to request that Senate Bill No. 590 be removed from the inactive file.

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

SENATE BILL NO. 490 (Alpert)—An act to amend Section 4052 of the Business and Professions Code, relating to pharmacy.

Bill read third time.

Motion to Amend

Assembly Member Cohn moved the adoption of amendments.

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

SENATE BILL NO. 617 (Speier)—An act to amend Section 1639 of, and to add Sections 1639.35 and 7158.3 to, the Health and Safety Code, relating to anatomical gifts.

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

Bill passed by the following vote:

AYES—70

Aghazarian	Dutton	Lieber	Plescia
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
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mullin	Steinberg
Chu	Jackson	Nakanishi	Vargas
Cogdill	Keene	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	Laird	Nunez	Yee
Cox	Leno	Pacheco	Mr. Speaker
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—8

Campbell	Haynes	La Suer	Mountjoy
Daucher	La Malfa	Maze	Strickland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 545 (Speier)—An act to amend Section 4052 of, and to add Section 682 to, the Business and Professions Code, relating to pharmacists.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members La Suer, Bogh, and Haynes, demanded a roll call.

The roll was called, and the Correa amendments adopted by the following vote:

AYES—48

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

NOES—26

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

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

SENATE BILL NO. 1077 (Committee on Business and Professions)—An act to amend Sections 27, 2060, 2135.5, 2190.5, 2285, 2386, 2415, 2441, 2442, 2570.4, 4980.43, 4980.44, 4980.57, 4982, 4982.2, 4984.8, 4996.18, 4996.21, 4996.22, and 4996.23 of, to amend and repeal Section 4997 of, to amend, repeal, and add Section 2439 of, and to repeal Section 2106 of, the Business and Professions Code, relating to healing arts.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

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

SENATE BILL NO. 362 (Figueroa)—An act to amend Sections 1616.5 and 1742 of, to amend and repeal Section 1601.1 of the Business and Professions Code, to amend Section 830.3 of the Penal Code, and to repeal Sections 3 and 4 of Chapter 859 of the Statutes of 2001, relating to dental professionals.

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.

Re-reference of Bills to Committee Pursuant to Assembly Rule 77.2

Pursuant to Assembly Rules 77.2, the Speaker pro Tempore re-referred Senate Bill No. 362 to the Committee on Business and Professions.

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

ASSEMBLY BILL NO. 862 (Firebaugh)—An act to add Section 11045 to the Government Code, relating to state contracts.

Bill presented by Assembly Member Steinberg.

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

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

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

AYES—74

Aghazarian	Dymally	Lieber	Plescia
Bates	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Samuelian
Chan	Horton, Shirley	Maze	Simitian
Chavez	Houston	McCarthy	Spitzer
Chu	Jackson	Montanez	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	Pacheco	Mr. Speaker
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—4

Benoit	Campbell	Haynes	Mountjoy
--------	----------	--------	----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1061 (Firebaugh)—An act to amend Sections 10200, 10201, and 10205 of the Unemployment Insurance Code, relating to unemployment insurance.

Bill presented by Assembly Member Steinberg.

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

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

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

AYES—78

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

NOES—None

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 151 (Burton)—An act to amend Sections 11165.1 and 11166 of, to amend and repeal Sections 11162, 11168, and 11169 of, to amend, repeal, and add Sections 11159.2, 11161, 11164, 11165, 11167, 11167.5, and 11190 of, to add Sections 11029.5, 11161.5, 11161.7, 11162.1, and 11162.6 to, and to add, repeal, and add Section 11164.1 to, the Health and Safety Code, relating to controlled substances.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 345 (Kuehl)—An act to amend Section 1954 of the Civil Code, to amend Section 1161.2 of, and to repeal and add Section 1166 of, the Code of Civil Procedure, and to amend Section 34328.1 of the Health and Safety Code, relating to tenancy.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 10:51 a.m.

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

SENATE BILL NO. 452 (Poohigian)—An act to amend Sections 89260 and 89260.5 of, and to repeal Section 89260.7 of, the Education Code, relating to the California State University.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 504 (Kuehl)—An act to add Chapter 7 (commencing with Section 132600) to Division 12.7 of the Public Utilities Code, relating to transportation.

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

Bill passed by the following vote:

AYES—49

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

NOES—28

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

Bill ordered transmitted to the Senate.

POINT OF INFORMATION

Assembly Member Haynes arose to the following point of information:

Commencing Friday, September 5th, he will withhold unanimous consent on all requests to pass and retain bills on the Daily File.

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

SENATE BILL NO. 610 (Escutia)—An act to amend Section 12302 of, to amend, repeal, and add Section 12309 of, and to add Section 12309.5 to, the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Assembly Member Longville moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and Mountjoy, demanded a roll call.

The roll was called, and the Longville amendments adopted by the following vote:

AYES—45

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

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

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

SENATE BILL NO. 636 (Machado)—An act to add Section 56509 to the Education Code, relating to special education.

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

Bill passed by the following vote:

AYES—74

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

NOES—4

Haynes	La Malfa	La Suer	Mountjoy
--------	----------	---------	----------

Bill ordered transmitted to the Senate.

SENATE BILL NO. 639 (Torlakson)—An act to amend Sections 65891.8 and 65891.12 of the Government Code, relating to housing.

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

Bill passed by the following vote:

AYES—50

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

NOES—27

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 760 (Alpert)—An act to amend and repeal Section 6368.8 of, and to add Section 6368.9 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

AYES—75

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

NOES—1

Maze

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 11:05 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Bermudez and Speaker Wesson introduced Hon. H.H.S. Viswanathan, Consul General of India, and presented a resolution to him in celebration of India Independence Day.

RECONVENED

At 11:07 a.m., the Assembly reconvened.

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

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

SENATE BILL NO. 821 (Alarcon)—An act to add Chapter 5.5 (commencing with Section 66350) to Part 40 of the Education Code, relating to business ethics.

Bill read third time.

Motion to Amend

Assembly Member Liu moved the adoption of amendments.

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

SENATE BILL NO. 838 (Knight)—An act to add Section 1104.3 to the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Runner moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Chan, Cohn, and Goldberg, demanded a roll call.
The roll was called, and the Runner amendments adopted by the following vote:

AYES—66

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

NOES—5

Goldberg	Maze	Mr. Speaker
Kehoe	Wiggins	

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

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

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 838 to the Committee on Veterans Affairs.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 345**

At 11:11 a.m., on motion of Assembly Member Dutra, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 345 passed by the following vote:

AYES—44

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

NOES—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	

Bill ordered transmitted to the Senate.

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

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

Bill read third time.

Motion to Amend

Assembly Member Dutton 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. 1553 (Wesson)—An act to amend Sections 9855 and 9855.2 of the Business and Professions Code, relating to service contracts.

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	Plescia
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 833 (Machado)—An act to add Section 6533 to the Government Code, and to amend Section 1220 of, and to amend and repeal Section 1011.5 of, the Water Code, relating to water.

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. 802 (Torlakson)—An act to amend Sections 164.14 and 164.19 of the Streets and Highways Code, relating to transportation.

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

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

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, as noted:

Business and Professions, to hear Senate Bill No. 362, on Friday, September 5, 2003;

Local Government, to hear Senate Bill No. 348, on Friday, September 5, 2003;

Insurance, to hear Assembly Bill No. 652, on Thursday, September 4, 2003;

Veterans Affairs, to hear Senate Bills Nos. 838 and 1736 and Assembly Bill No. 323, on Thursday, September 4, 2003.

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

Pursuant to Assembly Rule 78, Assembly Member Leno announced his intention to request that Senate Bill No. 1064 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 570 be removed from the inactive file.

CAUCUS ANNOUNCEMENTS

Assembly Member Strickland announced that the Republican Caucus would meet today, at 12 noon, in the Tom Bane Rules Committee Room.

Speaker pro Tempore Kehoe announced that the Democratic Caucus would meet today, at 12 noon, in the Assembly Lounge.

RECESS

By unanimous consent, at 11:31 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 1:50 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

September 3, 2003

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 530 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, September 2, 2003

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

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 24 | Assembly Bill No. 946 |
| Assembly Bill No. 43 | Assembly Bill No. 1124 |
| Assembly Bill No. 76 | Assembly Bill No. 1418 |
| Assembly Bill No. 248 | Assembly Bill No. 1479 |
| Assembly Bill No. 560 | Assembly Bill No. 1555 |
| Assembly Bill No. 650 | Assembly Bill No. 1625 |
| Assembly Bill No. 739 | Assembly Bill No. 1697 |
| Assembly Bill No. 839 | Assembly Bill No. 1742 |
| Assembly Bill No. 938 | |

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, September 2, 2003

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

- | | |
|------------------------|------------------------|
| Assembly Bill No. 786 | Assembly Bill No. 1594 |
| Assembly Bill No. 1201 | Assembly Bill No. 1634 |
| Assembly Bill No. 1248 | |

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, September 2, 2003

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

Assembly Bill No. 643
 Assembly Bill No. 669
 Assembly Bill No. 1741

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

Above bills ordered enrolled.

Senate Chamber, September 2, 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. 54
 Senate Bill No. 75
 Senate Bill No. 85
 Senate Bill No. 93
 Senate Bill No. 114
 Senate Bill No. 140
 Senate Bill No. 145
 Senate Bill No. 183
 Senate Bill No. 189
 Senate Bill No. 200
 Senate Bill No. 211
 Senate Bill No. 271
 Senate Bill No. 285
 Senate Bill No. 302
 Senate Bill No. 361

Senate Bill No. 376
 Senate Bill No. 464
 Senate Bill No. 607
 Senate Bill No. 624
 Senate Bill No. 727
 Senate Bill No. 739
 Senate Bill No. 752
 Senate Bill No. 795
 Senate Bill No. 826
 Senate Bill No. 907
 Senate Bill No. 1032
 Senate Bill No. 1059
 Senate Bill No. 1062
 Senate Bill No. 1081
 Senate Concurrent Resolution No. 36

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

Senate Chamber, September 3, 2003

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

Assembly Bill No. 14
 Assembly Bill No. 115
 Assembly Bill No. 199
 Assembly Bill No. 369
 Assembly Bill No. 455
 Assembly Bill No. 552
 Assembly Bill No. 593
 Assembly Bill No. 642
 Assembly Bill No. 847
 Assembly Bill No. 866
 Assembly Bill No. 942
 Assembly Bill No. 984
 Assembly Bill No. 1031

Assembly Bill No. 1059
 Assembly Bill No. 1182
 Assembly Bill No. 1238
 Assembly Bill No. 1244
 Assembly Bill No. 1313
 Assembly Bill No. 1350
 Assembly Bill No. 1405
 Assembly Bill No. 1449
 Assembly Bill No. 1525
 Assembly Bill No. 1679
 Assembly Bill No. 1716
 Assembly Bill No. 1731

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, September 3, 2003

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

Assembly Concurrent Resolution No. 66
 Assembly Concurrent Resolution No. 69

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, September 3, 2003

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

- Assembly Bill No. 189
- Assembly Bill No. 1343

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

Above bills ordered enrolled.

Senate Chamber, September 3, 2003

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

- Assembly Bill No. 243
- Assembly Bill No. 385

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

Above bills ordered enrolled.

Senate Chamber, September 3, 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. 60
- Senate Bill No. 619
- Senate Bill No. 824

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

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. 650, 1742, 786, 1248, 1594, 1634, 942, 1313, 1679, and 1731.

MESSAGES FROM THE SENATE

Senate Chamber, September 3, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senators Burton, Murray and McPherson as a Committee on Conference concerning:

Senate Bill No. 552.

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

Senate Chamber, September 3, 2003

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

- Senate Bill No. 849

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 849—An act to add and repeal Section 1936.2 of, and to repeal and add Section 1936.3 of, the Civil Code, relating to rental vehicle transaction fees, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 359 (Figueroa)—An act to amend Section 810 of the Business and Professions Code, and to amend Section 94990 of, and to add Sections 94779.1, 94779.3, and 94779.4 to, the Education Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Matthews moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—74

Aghazarian	Dutton	Lieber	Plescia
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
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

NOES—None

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

SENATE BILL NO. 297 (Chesbro)—An act to add Section 6217.2 to the Public Resources Code, relating to salmon.

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

Bill passed by the following vote:

AYES—75

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

NOES—2

Haynes Mountjoy

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 205 (Goldberg)—An act to amend Sections 297, 298, and 298.5 of, to add Sections 297.5, 299.2, and 299.3 to, to repeal Section 299.5 of, and to repeal and add Section 299 of, the Family Code, to amend Section 14771 of the Government Code, and to amend Section 3 of Chapter 447 of the Statutes of 2002, relating to domestic partnerships.

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—41

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

NOES—33

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 841 (Vargas)—An act to amend Sections 52890, 54726, 54734, and 58562 of the Education Code, relating to pupil retention.

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	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Jackson	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	Laird	Nation	Wolk
Correa	Leno	Negrete McLeod	Yee
Diaz	Levine	Nunez	Mr. Speaker
Dutra	Lieber	Parra	

NOES—31

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 534 (Vargas)—An act to amend Sections 22442, 22442.2, and 22443 of, and to add Section 22442.1 to, the Business and Professions Code, relating to immigration consultants.

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	Plescia
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Above bill ordered enrolled.

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, and presented by Assembly Member Correa.

Bill passed by the following vote:

AYES—49

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

NOES—29

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

Bill ordered transmitted to the Senate.

(NOTE: On September 9, 2003, the action was rescinded whereby Senate Bill No. 294 was passed, and whereby the bill was ordered transmitted to the Senate. See page 3667.)

SENATE BILL NO. 68 (Alpert)—An act to add and repeal Chapter 5.3 (commencing with Section 13368) of Division 7 of the Water Code, relating to water.

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

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

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. 115 (Canciamilla)—Relative to the Inspector Raymond J. Giacomelli Memorial Overcrossing.

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. 116 (Yee)—Relative to history and social science curriculum.

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. 121 (La Suer)—Relative to the Semper Fi Highway.

Resolution read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	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
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Concurrent Resolution No. 121: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 131 (Cox)—Relative to the William Alexander Leidesdorff, Jr. Memorial Highway.

Resolution read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescica
Bates	Dymally	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	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
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Concurrent Resolution No. 131: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 133 (Bates)—Officer Tony Zepetella Memorial Highway.

Resolution read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	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
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Concurrent Resolution No. 133: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Resolution ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 135 (Runner)—Relative to the Deputy Sheriff Stephen Sorensen Memorial Highway.

Resolution read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	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
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Concurrent Resolution No. 135: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Resolution ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 50 (Pavley)—Relative to fuel cell vehicles.

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

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

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 24 (Morrow)—Relative to highway designations.

Resolution read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	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
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	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Concurrent Resolution No. 24: Assembly Member Goldberg, from “Aye” to “Not Voting”.

Resolution ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 40 (Chesbro)—Relative to youth involvement.

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. 41 (McPherson)—Relative to Baldrige National Quality Program.

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. 43 (Machado)—Relative to Women Veterans' Highway.

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

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

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—78

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

NOES—None**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Canciamilla announced his intention to request that Senate Bill No. 871 be removed from the inactive file.

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Benedetti, of Daly City.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wing Baw Fong, of Los Angeles.

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. 299, Concurrence: Bermudez, Bogh, Canciamilla, Chu, Diaz, Garcia, Shirley Horton, Houston, Keene, Leslie, Levine, Longville, Maddox, Maldonado, Montanez, Nakanishi, Nation, Pacheco, Plescia, Ridley-Thomas, Simitian, Spitzer, Vargas, and Yee—Aye; Strickland—No.

Assembly Bill No. 1576, Concurrence: Bermudez, Bogh, Canciamilla, Chu, Correa, Diaz, Houston, Leslie, Levine, Longville, Maddox, Maldonado, Pacheco, Plescia, Ridley-Thomas, Spitzer, Strickland, Vargas, and Yee—Aye; Keene—No.

Assembly Bill No. 1774, Concurrence: Bermudez, Bogh, Canciamilla, Chu, Diaz, Houston, Keene, La Malfa, Leslie, Longville, Maddox, Maldonado, Pacheco, Plescia, Ridley-Thomas, Spitzer, Strickland, Vargas, and Yee—Aye.

Senate Bill No. 617: Bogh, Canciamilla, Diaz, Houston, Keene, Levine, Longville, Maddox, Pacheco, Plescia, Ridley-Thomas, Simitian, Spitzer, Wyland, and Yee—Aye; Mountjoy and Strickland—No.

Senate Bill No. 545, Correa Amendments: Bermudez, Canciamilla, Diaz, Jerome Horton, Levine, Longville, Nation, Ridley-Thomas, and Yee—Aye; Bates, Bogh, Houston, Keene, Maddox, Mountjoy, Plescia, Spitzer, Strickland, and Wyland—No.

Assembly Bill No. 862, Concurrence: Canciamilla, Diaz, Houston, Jackson, Keene, Longville, Maddox, Ridley-Thomas, Spitzer, Wyland, and Yee—Aye.

Assembly Bill No. 1061, Concurrence: Canciamilla, Chu, Diaz, Houston, Keene, Maddox, Montanez, Ridley-Thomas, Spitzer, Vargas, Wyland, and Yee—Aye.

Senate Bill No. 151: Canciamilla, Diaz, Houston, Keene, Maddox, Ridley-Thomas, Spitzer, Wiggins, Wyland, and Yee—Aye.

Senate Bill No. 452: Aghazarian, Diaz, Houston, Keene, Lieber, Maddox, Pacheco, Plescia, Ridley-Thomas, Spitzer, Wyland, and Yee—Aye.

Senate Bill No. 504: Diaz, Ridley-Thomas, Spitzer, and Yee—Aye; Houston, Keene, Pacheco, Plescia, Strickland, and Wyland—No.

Senate Bill No. 610, Longville Amendments: Diaz, Ridley-Thomas, and Yee—Aye; Houston, Keene, Pacheco, Plescia, Spitzer, and Wyland—No.

Senate Bill No. 636: Diaz, Garcia, Houston, Keene, Plescia, Ridley-Thomas, Spitzer, Wyland, and Yee—Aye.

Senate Bill No. 639: Aghazarian, Diaz, Garcia, Ridley-Thomas, and Yee—Aye; Houston, Keene, Spitzer, and Wyland—No.

Senate Bill No. 760: Diaz, Houston, Ridley-Thomas, Spitzer, and Yee—Aye.

Senate Bill No. 838, Runner Amendments: Houston, Longville, Montanez, Nakano, Ridley-Thomas, Runner, Spitzer, and Vargas—Aye.

Senate Bill No. 345: Jerome Horton and Ridley-Thomas—Aye; Houston, Pacheco, and Spitzer—No.

Assembly Bill No. 1553, Concurrence: Berg, Pacheco, Ridley-Thomas, and Spitzer—Aye.

Senate Bill No. 802: Jerome Horton, Ridley-Thomas, Simitian, Spitzer, and Wiggins—Aye.

Senate Bill No. 359, Matthews Amendments: Bates, Garcia, Shirley Horton, Houston, Lieber, Maddox, Maldonado, McCarthy, Nakanishi, Pacheco, Plescia, Samuelian, Simitian, Strickland, and Wyland—Aye.

Senate Bill No. 297: Bates, Bogh, Shirley Horton, Houston, Lieber, Maddox, Nakanishi, Nakano, Pacheco, Plescia, Richman, Samuelian, Simitian, Strickland, and Wyland—Aye.

Assembly Bill No. 205, Concurrence: Shirley Horton—No.

Assembly Bill No. 841, Concurrence: Canciamilla and Jerome Horton—Aye; Garcia and Shirley Horton—No.

Assembly Bill No. 534, Concurrence: Jerome Horton, Houston, and Plescia—Aye.

Senate Bill No. 294: Daucher and Maddox—No.

Senate Bill No. 68: Keene—Aye.

MOTION TO ADJOURN

At 3:15 p.m., Assembly Member Mountjoy moved that the Assembly do now adjourn.

Assembly Member Vargas seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:16 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 853

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 964

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 288

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, September 3, 2003

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(11) as it relates to Senate Bill No. 641.

JOHN LONGVILLE

Above request ordered transmitted to the Committee on Rules.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 3, 2003

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

Assembly Bill No. 309

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

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 3, 2003

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

Assembly Concurrent Resolution No. 89

Assembly Joint Resolution No. 35

And reports the same correctly enrolled, and presented to the Secretary of State on the 3rd day of September, 2003, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

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

Insurance, on September 4, 2003;

Veterans Affairs, on September 4, 2003.

ADJOURNMENT

At 6:20 p.m., pursuant to the motion by Assembly Member Mountjoy, the Assembly adjourned until 9:30 a.m., Thursday, September 4, 2003, out of respect to the memory of Robert Benedetti, on motion of Assembly Member Mullin; and out of respect to the memory of Wing Baw Fong, on motion of Assembly Member Nakano.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 3, 2003**

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

AB RN
254 0316393

SB RN
3 0317891
19 0317766
23 0318820
25 0318136
81 0318124
219 0316918
359 0318313
362 0318813
364 0318025
407 0318766
490 0318500
545 0318680
578 0317836
602 0318895
610 0318282
640 0318972
763 0318525
821 0318966
833 0318962
838 0318449
1008 0318926
1077 0318606

Daily Total: 23
Cumulative Total: 2734

CALIFORNIA LEGISLATURE

2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, September 4, 2003

ONE HUNDRED TWENTY-THIRD SESSION DAY

TWO HUNDRED SEVENTY-SEVENTH 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, September 4, 2003

The Assembly met at 9:30 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 Dymally moved a quorum call of the Assembly.
Motion carried. Time, 9:31 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 9:39 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 Almighty, Send us Your good grace and sanctify our souls and bodies and spirits. Direct our thoughts to those of piety, so that with a clear conscience we may live in peace. Bless us this day, Lord, and all those who work with us, for You are a compassionate and benevolent God and we praise You forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 2003

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

Assembly Bill No. 254

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

Assembly Concurrent

Resolution No.

Committee

138 ----- Rls.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

September 4, 2003

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 980

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

LOWENTHAL, Chair

ASSEMBLY BILL NO. 980—An act to add Section 65585.3 to, and to repeal and add Section 65585.2 of, the Government Code, relating to housing.

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.

RECEIPT FOR REPORT OF STANDING COMMITTEE

The following Report of Standing Committee was received on Wednesday, September 3, 2003, in compliance with Joint Rule 61.

Committee on Appropriations

Date of Hearing: August 29, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 20

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 138

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.

NATION, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 6

Senate Concurrent Resolution No. 48

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.

MESSAGES FROM THE SENATE

September 4, 2003

Hon. E. Dotson Wilson

Chief Clerk of the Assembly

Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 78 and Senate Bill 620 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT

Secretary of the Senate

Above bills held at the Desk.

REQUEST FOR PHOTOGRAPHER

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

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Garcia 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 daughter, Melissa Garcia.

BILL RETURNED TO SENATE

Assembly Member Cogdill was granted unanimous consent that Assembly Bill No. 1208 be returned to the Senate for further action.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committees on Veterans Affairs, Insurance, and Education be permitted to meet today, off the Floor, during Floor Session.

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. 1742, 942, and 1313, on request of Assembly Member Chan, on behalf of Assembly Member Plescia.

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

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

Assembly Bills Nos. 1479 and 1238, to the Committee on Transportation;

Assembly Bill No. 1405, to the Committee on Appropriations;

Assembly Bill No. 1679, to the Committee on Elections, Redistricting and Constitutional Amendments.

**ASSEMBLY BILL NO. 650
REMOVED FROM SPECIAL CONSENT CALENDAR
AND RE-REFERRED TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Speaker pro Tempore Kehoe removed Assembly Bill No. 650 from the Special Consent Calendar and re-referred the bill to the Committee on Local Government, pursuant to Assembly Rule 77.2.

RECESS

By unanimous consent, at 9:49 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Leslie introduced Barbara Truax, President of the California Writers Club and Ann Marie Gold, representing the California Library Association, whereupon he presented a resolution to Ms. Truax recognizing the third week in October as California Writers Week.

RECONVENED

At 9:51 a.m., the Assembly reconvened.

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 112 (Bogh)—Relative to the California Department of Forestry and Fire Protection firefighters.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 112**

Assembly Member Bogh was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 112.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Bogh was granted unanimous consent to take up Assembly Concurrent Resolution No. 112, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 112, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 112—Relative to the California Department of Forestry and Fire Protection firefighters.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 9:56 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Bogh introduced the following guests representing the California Department of Forestry: Andrea Tuttle, Director CDF; Ray Snodgrass, Chief Deputy Director CDF; Bob Wolf, Fire Captain, President CDF Firefighters Local 2881; Jeff Hawkins, Fire Captain, Butte Chapter Director CDF Firefighters; and Mike Mattia, Fire Captain, District 7 Vice President.

RECONVENED

At 9:58 a.m., the Assembly reconvened.

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

POINT OF INFORMATION

Assembly Member Haynes arose to the following point of information:

Commencing Friday, September 5th, he will withhold unanimous consent on all requests to pass and retain bills on the Daily File.

CONSIDERATION OF DAILY FILE**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 19, 25, 81, 219, 364, 407, 578, 3, 602, 640, and 1008, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 24—An act to add Section 124034 to the Health and Safety Code, and to add Sections 14148.03, 14148.04, and 14148.05 to the Welfare and Institutions Code, relating to health care.

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

SENATE BILL NO. 56—An act to add Sections 12749.93 and 12749.94 to the Water Code, relating to water development projects.

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

SENATE BILL NO. 87—An act to amend Section 379 of the Streets and Highways Code, relating to highways.

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

SENATE BILL NO. 262—An act to amend Section 4458 of, and to add Sections 4459.5, 4459.6, 4459.7, and 4459.8 to, the Government Code, and to amend Sections 19954 and 19958.5 of, and to add Section 19958.6 to, the Health and Safety Code, relating to building standards, and making an appropriation therefor.

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

SENATE BILL NO. 352—An act to amend Sections 17074.30 and 17213 of the Education Code, and to amend Section 21151.8 of the Public Resources Code, relating to public schools.

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

SENATE BILL NO. 412—An act to amend Sections 3511, 4700, 5050, and 5515 of the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

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

SENATE BILL NO. 420—An act to add Article 2.5 (commencing with Section 11362.7) to Chapter 6 of Division 10 of the Health and Safety Code, relating to controlled substances.

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

SENATE BILL NO. 495—An act to amend Section 52051 of, and to add Section 52052.1 to, the Education Code, relating to school accountability.

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

SENATE BILL NO. 556—An act to amend, add, and repeal Section 52124 of the Education Code, relating to class size, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 588—An act to amend Section 33128 of, and to add and repeal Section 17463.5 of, the Education Code, relating to school finance.

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

SENATE BILL NO. 680—An act relating to student financial aid.

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

SENATE BILL NO. 700—An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, 40724.6, 40731, 40732, 42301.16, 42301.17, and 44559.9 to, the Health and Safety Code, relating to air quality.

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

SENATE BILL NO. 704—An act to repeal Part 3 (commencing with Section 1101) of Division 1 of the Food and Agricultural Code, and to add Section 41606 to the Health and Safety Code, relating to air quality.

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

SENATE BILL NO. 971—An act to add Sections 89500.3, 89500.5, and 89500.7 to the Education Code, relating to the California State University.

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

SENATE BILL NO. 33—An act to amend Sections 17590, 17591, 17592, 17593, and 17594 of, and to repeal Section 17595 of, the Business and Professions Code, relating to telephone solicitations, and declaring the urgency thereof, to take effect immediately.

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

SENATE BILL NO. 686—An act to amend Section 674.6 of, to add Section 674.8 to, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of, the Insurance Code, relating to long-term care facilities.

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

SENATE BILL NO. 853—An act to amend Section 1367 of, and to add Section 1367.04 to, the Health and Safety Code, and to add Section 10133.4 to the Insurance Code, relating to health care coverage.

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

SENATE BILL NO. 964—An act to add Section 60852.5 to the Education Code, relating to the high school exit examination, and making an appropriation therefor.

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

SENATE BILL NO. 288—An act to amend Section 41652 of, and to add Chapter 4.5 (commencing with Section 42500) to Part 4 of Division 26 of, the Health and Safety Code, relating to air quality.

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

CAUCUS ANNOUNCEMENTS

At 10:02 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 10:02 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 10:30 a.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

SENATE BILL NO. 185 (Sher)—An act to amend Sections 398.4 and 398.5 of the Public Utilities Code, relating to electricity.

Bill read third time.

Motion to Amend

Assembly Member Pavley moved the adoption of amendments.

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

SENATE BILL NO. 656 (Sher)—An act to add and repeal Section 39614 of the Health and Safety Code, relating to air quality.

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

Bill passed 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	Mathews	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—31

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 226 (Cedillo)—An act to amend Sections 527.6 and 527.8 of, and to add Section 527.9 to, the Code of Civil Procedure, to amend Section 6389 of the Family Code, to amend Sections 136.2, 273.6, and 12021 of the Penal Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to firearms.

Bill read third time.

Motion to Amend

Assembly Member Jackson moved the adoption of amendments.

Amendments read.

Roll Call Demanded

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

The roll was called, and the Jackson amendments adopted by the following vote:

AYES—52

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

NOES—27

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

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

SENATE BILL NO. 88 (Chesbro)—An act to add Section 23399.6 to the Business and Professions Code, relating to alcoholic beverages.

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

Bill passed by the following vote:

AYES—76

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

Mountjoy

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 88: Assembly Members Haynes, Strickland, and Wyland, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 157 (Bowen)—An act to add Chapter 1.5 (commencing with Section 6025) to Part 1 of Division 2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

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

SENATE BILL NO. 469 (Scott)—An act to amend Section 60242 of the Education Code, relating to instructional materials.

Bill read third time.

Motion to Amend

Assembly Member Cohn moved the adoption of amendments.

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

SENATE BILL NO. 489 (Scott)—An act to amend Sections 12126, 12130, and 12132 of the Penal Code, relating to firearms.

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

At 11:15 a.m., Hon. Sarah Reyes, 31st District, presiding

At 11:37 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

Request For Use of Visual Aids

Assembly Member Mountjoy was granted unanimous consent to use visual aids on the Floor to assist in debate.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 11:53 a.m.

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

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 178, on request of Assembly Member Mullin.

**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. 814 be removed from the inactive file.

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

SENATE BILL NO. 577 (Kuehl)—An act to amend Section 1798.24b of the Civil Code, and to amend Sections 4514.3, 4900, 4901, 4902, 4903, 4905, and 5328.06 of, and to add Section 4906 to, the Welfare and Institutions Code, relating to public social services.

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

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—33

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 708 (Flores)—An act to amend Section 44062.1 of the Health and Safety Code, to add Section 1463.15 to the Penal Code, and to amend Section 42001.2 of, and to add Section 2814.1 to, the Vehicle Code, relating to air pollution.

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

Bill passed by the following vote:

AYES—57

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

NOES—18

Bates	Haynes	La Suer	Nakanishi
Benoit	Horton, Shirley	Leslie	Pacheco
Cox	Houston	Maddox	Runner
Dutton	Keene	Maze	
Harman	La Malfa	Mountjoy	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 708: Assembly Members Aghazarian, Cogdill, Strickland, and Wyland, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 705 (Flores)—An act to add Section 41855.5 to the Health and Safety Code, relating to air quality.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 12:36 p.m.

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 489**

At 12:38 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

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

Motion carried. Time, 12:39 p.m.

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

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

SENATE BILL NO. 868 (Dunn)—An act to amend Section 1776 of the Labor Code, relating to public works.

Bill read third time.

Motion to Amend

Assembly Member Montanez moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and McCarthy, demanded a roll call.

The roll was called, and the Montanez amendments adopted by the following vote:

AYES—47

Berg	Dymally	Longville	Pavley
Bermudez	Frommer	Lowenthal	Reyes
Calderon	Goldberg	Maddox	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	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

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. 868 to the Committee on Labor and Employment.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 916 (Perata)—An act to amend Section 14531 of the Government Code, to amend Sections 182.5, 188.3, 188.4, 30101, 30101.8, 30113, 30600, 30601, 30604, 30606, 30750, 30751, 30760, 30761, 30791, 30884, 30885, 30887, 30889.3, 30891, 30894, 30910, 30912, 30913, 30915, 30916, 30918, 30919, 30920, 30950, 30950.1, 30950.2, 3050.3, 30950.4, 30953, 30958, 30960, 30961, 31000, and 31010 of, to amend and renumber Section 188.10 of, to add Sections 30881, 30910.5, 30914.5, and 30922 to, and to repeal Sections 30603, 30605, 30608.2, 30752, 30753, 30754, 30755, 30756, 30757, 30762, 30762.5, 30763, 30764, 30764.5, 30765, 30766, 30767, 30791.7, 30792, 30792.2, 30793, 30794, 30795, 30886, 30888, 30889, 30896, and 30956 of, to repeal Article 5 (commencing with Section 30200) and Article 7 (commencing with Section 30350) of Chapter 1 of Division 17 of, to repeal and add Sections 30102.5, 30890, 30911, 30914, 30917, 30921, and 30951 of, the Streets and Highways Code, and to amend Section 5205.5 of the Vehicle Code, relating to transportation, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and Bogh, demanded a roll call.

The roll was called, and the Dutra amendments adopted by the following vote:

AYES—46

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

NOES—31

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

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

SENATE BILL NO. 210 (Burton)—An act to amend Sections 6750, 6752, and 6753 of the Family Code, and to add Section 1308.9 to the Labor Code, relating to minors.

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

Bill passed by the following vote:

AYES—76

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

NOES—2

Haynes	Mountjoy
--------	----------

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 210: Assembly Members Cox, Harman, and Strickland, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 155 (Scott)—An act to amend Section 1091 of the Government Code, relating to public officers.

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

Bill passed by the following vote:

AYES—60

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

NOES—15

Campbell	La Malfa	Mountjoy	Spitzer
Cox	La Suer	Plescia	Strickland
Dutton	Maze	Runner	Wyland
Haynes	McCarthy	Samuelian	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 478 (Dunn)—An act to add Section 230.2 to the Labor Code, relating to employment.

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

Bill passed by the following vote:

AYES—54

Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
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	
Dymally	Liu	Pavley	

NOES—25

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 631 (McPherson)—An act to amend Sections 1202.4, 1202.45, 1214, 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

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. 1075 (Committee on Health and Human Services)—An act to add Section 138.6 to the Health and Safety Code, and to amend Section 4862 of the Welfare and Institutions Code, relating to health and social services.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 937 (Ducheny)—An act to amend Sections 1212, 1217, 1228, and 1231 of, and to add Sections 1218.1, 1218.2, 1226.1, 1226.2, 1226.3, and 1229.1 to, the Health and Safety Code, relating to clinics.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Mountjoy, Harman, and Bogh, demanded a roll call.

The roll was called, and the Frommer amendments adopted by the following vote:

AYES—60

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

NOES—17

Aghazarian	Keene	McCarthy	Strickland
Bates	La Malfa	Mountjoy	Wyland
Campbell	La Suer	Plescia	
Dutton	Leslie	Runner	
Haynes	Maddox	Samuelian	

Vote Changes

By unanimous consent, the following vote changes were permitted on amendments offered by Assembly Member Frommer to Senate Bill No. 937: Assembly Members Aghazarian, Bates, Campbell, Keene, Leslie, and Strickland, from “Aye” to “No”.

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

SENATE BILL NO. 1078 (Committee on Business and Professions)—An act to amend Sections 29.5, 6737.1, 6737.3, 6756, 7029.1, 7124.6, 7138, 7141, 8030.2, 8762, 8766, 8773.2, and 8773.4 of, and to add Sections 7013.5, 7027.4, 7116.5, and 8710.1 to, the Business and Professions Code, and to amend Section 19825 of the Health and Safety Code, relating to professions and vocations.

Bill read third time.

Motion to Amend

Assembly Member Montanez moved the adoption of amendments.
Amendments read.

Point of Order

Assembly Member Goldberg arose to the following point of order:
Assembly Member Mountjoy is not debating the merits of the proposed amendments to Senate Bill No. 1078.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order well-taken.
The question being on the adoption of the Montanez amendments.

Montanez amendments adopted by the following vote:

AYES—45

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

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

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. 1078 to the Committees on Natural Resources and Appropriations.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 489**

At 1:28 p.m., on motion of Assembly Member Cox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 489 passed by the following vote:

AYES—44

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

NOES—34

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

**Motion to Reconsider Senate Bill No. 489
on Next Legislative Day**

Assembly Member Strickland moved to reconsider on the next legislative day the vote whereby Senate Bill No. 489 was this day passed.

Senate Bill No. 489 ordered to the unfinished business file.

ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING

Speaker pro Tempore Kehoe announced that the Conference Committee on Health (Senate Bill No. 2) would meet today at 1:45 p.m., in Room 4203.

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

SENATE BILL NO. 156 (Burton)—An act to amend Section 7501 of the Family Code, relating to child custody.

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

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	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	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Wyland
Diaz	Leslie	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

NOES—1

Haynes

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Parra announced that the Committee on Veterans Affairs would meet at this time, in the Rules Committee Room.

Objection Raised

Assembly Member Leslie objected to the meeting of the Veterans Affairs Committee at this time, while the House is in session.

Objection Ruled Out of Order

Speaker pro Tempore Kehoe ruled the objection out of order as permission was granted by the Body earlier this day.

Members Excused for Committee Meeting

At 1:30 p.m., by unanimous consent, the members of the Committee on Veterans Affairs 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. 162 (Alarcon)—An act to amend Sections 8869.80 and 8869.84 of the Government Code, relating to state government.

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

Bill passed by the following vote:

AYES—47

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

NOES—31

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

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 311, on request of Speaker pro Tempore Kehoe.

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

SENATE BILL NO. 507 (Escutia)—An act to amend and repeal Section 52244 of the Education Code, relating to public schools.

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

Bill passed by the following vote:

AYES—71

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 720 (Bowen)—An act to amend Section 884 of the Public Utilities Code, relating to telecommunications.

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

Bill passed by the following vote:

AYES—54

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

NOES—25

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 98 (Alpert)—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 98. See page 3426.)

SENATE BILL NO. 247 (Murray)—An act to amend Section 1808.25 of the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Assembly Member Ridley-Thomas.

Bill passed by the following vote:

AYES—66

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

NOES—10

Benoit	Cox	Haynes	Mountjoy
Bogh	Dutton	Maze	
Cogdill	Harman	McCarthy	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 257 (Alpert)—An act to amend Section 52052.5 of the Education Code, relating to pupil testing.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 315 (Committee on Transportation)—An act to amend Section 5463 of the Business and Professions Code, to amend Section 20351 of the Public Contract Code, to amend Sections 120050.2, 120051, 120051.6, and 120054 of, to add Section 120051.1 to, and to add Chapter 6 (commencing with Section 125700) to Division 11.5 of, the Public Utilities Code, to amend Sections 10753 and 10753.7 of the Revenue and Taxation Code, to amend Sections 188.8 and 302 of the Streets and Highways Code, and to amend Sections 1651, 1800, 1810, 1810.7, 4456, 4466, 5068, 5101.2, 5200, 5201, 6700, 9101, 9107, 11204, 12814, 13370, 15210, 15250.7, 16000, 16021, 16370.5, 16431, 24609, and 27400 of, to add Section 11519 to, and to repeal Sections 5004.6, 5070, 5071, 5071.1, 5073, and 5080 of, the Vehicle Code, relating to transportation, and making an appropriation therefor.

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

Bill passed 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

Bill ordered transmitted to the Senate.

**At 1:52 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

SENATE BILL NO. 694 (Committee on Natural Resources)—An act to amend Sections 4750.7 and 31164 of, to add Section 31012 to, and to repeal Sections 532, 2804.6, and 2813 of, the Public Resources Code, relating to public resources, and making an appropriation therefor.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:53 p.m.

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

SENATE BILL NO. 1060 (Committee on Revenue and Taxation)—An act to amend Sections 6459, 7093.5, 7326, 8105, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332, 60022, 60507, 60604, 60606, and 60636 of, to add Section 6451.5 to, and to repeal Section 7262.7 of, the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Levine	Plescia
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	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 644 (Burton)—An act to amend Sections 45330, 45344.5, and 45361.5 of the Education Code, relating to paraprofessionals.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—49

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

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	Pacheco	
Daucher	La Malfa	Plescia	

Bill ordered reprinted.

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

Pursuant to Assembly Rule 77.2, the Assistant Speaker pro Tempore re-referred Senate Bill No. 644 to the Committee on Higher Education.

SENATE BILL NO. 1061 (Committee on Revenue and Taxation)—An act to amend Sections 2205 and 5008.6 of the Corporations Code, to amend Section 7073.8 of the Government Code, and to amend Sections 23041 and 25111 of, and to add Sections 18405.1, 25113, and 25116 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Motion to Amend

Assembly Member Chavez moved the adoption of amendments.

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

SENATE BILL NO. 377 (Chesbro)—An act to amend Sections 124555 and 124710 of, and to add Section 124586 to, the Health and Safety Code, relating to health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Berg moved the adoption of amendments.

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

SENATE BILL NO. 295 (Vasconcellos)—An act to amend Section 11362.9 of the Health and Safety Code, relating to controlled substances.

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

Bill passed by the following vote:

AYES—49

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

NOES—27

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

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

Senate Chamber, September 4, 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. 65	Senate Bill No. 617
Senate Bill No. 68	Senate Bill No. 636
Senate Bill No. 99	Senate Bill No. 774
Senate Bill No. 345	Senate Bill No. 777
Senate Bill No. 504	Senate Bill No. 875
Senate Bill No. 523	

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

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

ASSEMBLY CONCURRENT RESOLUTION NO. 66 (Pavley)—Relative to the high school exit examination.

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

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

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

AYES—50

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

NOES—26

Aghazarian	Garcia	Leslie	Runner
Bates	Harman	Maldonado	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Pacheco	Wyland
Correa	La Malfa	Plescia	
Daucher	La Suer	Richman	

Above resolution ordered enrolled.

ASSEMBLY CONCURRENT RESOLUTION NO. 69 (Nakanishi)—Relative to the San Jose State University Processed Food Institute.

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

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

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

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	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	
Dutton	Levine	Parra	

NOES—None

Above bill ordered enrolled.

BILLS RETURNED TO THIRD READING FILE

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

Senate Bill No. 590, on request of Assembly Member Dutra;

Senate Bill No. 1064, on request of Assembly Member Leno;

Senate Bill No. 570, on request of Assembly Member Chan;

Senate Bill No. 871, on request of Assembly Member Chan.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1041, 1043, 27, 300, and 1072 were continued until the next legislative day.

MOTION TO RECONSIDER SENATE BILL NO. 187**Request for Reconsideration**

In compliance with a motion given on a previous day, Assembly Member Goldberg requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 187 was refused passage.

Assembly Member Haynes withheld unanimous consent.

Motion

Assembly Member Goldberg moved that the vote be reconsidered whereby Senate Bill No. 187 was refused passage.

Senate Bill No. 187 reconsidered by the following vote:

AYES—48

Berg	Dutra	Lieber	Parra
Bermudez	Dymally	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
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker

NOES—30

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

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 146 (Escutia)—An act to amend Section 1632 of the Civil Code, relating to contracts.

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

Bill passed 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—30

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 947 (Ducheny)—An act to amend Section 6086.7 of the Business and Professions Code, and to amend Sections 7810 and 7950 of, and to add Section 8620 to, the Family Code, and to amend Section 10553.1 of the Welfare and Institutions Code, relating to Native American children.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 448 (Poochigian)—An act to add Section 19584 to the Revenue and Taxation Code, relating to voter registration.

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

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Liu	Plescia
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	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	
Dutra	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 279 (Chesbro)—An act to amend Section 68120 of the Education Code, relating to public postsecondary education.

Bill read third time.

Motion to Amend

Assembly Member La Malfa moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—76

Aghazarian	Dutton	Leslie	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	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Daucher	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—1

Mountjoy

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

SENATE BILL NO. 969 (Bowen)—An act to amend Sections 4999.2 and 4999.7 of the Business and Professions Code, and to amend Section 1348.8 of the Health and Safety Code, relating to health care service plans.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Vargas announced that the Committee on Insurance would meet at this time, in the Rules Committee Meeting Room.

MOTION BY ASSEMBLY MEMBER LESLIE

Assembly Member Leslie moved that the Insurance Committee meeting be convened upon adjournment of Floor session.

At 2:52 p.m., Speaker Wesson, 47th District, presiding

Ruling by Speaker Wesson

Speaker Wesson replied that the Insurance Committee was granted permission to meet by the Speaker, consent for a hearing of the committee off the Floor during session was granted by the Body earlier this day, and Joint Rule 62(a) was waived by unanimous consent on the previous day; and further, ruled the motion by Assembly Member Leslie out of order as there was no second to the motion.

Point of Order

Assembly Member Haynes arose to the following point of order:
That he had seconded the motion by Assembly Member Leslie.

Ruling by Speaker Wesson

The Speaker ruled the point of order not well-taken as Assembly Member Haynes' motion had not been recognized by the Presiding Officer and restated to the Body.

Parliamentary Inquiry

Assembly Member Haynes arose to the following parliamentary inquiry:

Can the Body reconsider its decision to grant permission to a committee to meet off the Floor during session?

Motion Withdrawn

Assembly Member Leslie withdrew the motion.

At 3 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

OBJECTION TO VOTE ADDS AND VOTE CHANGES

Speaker pro Tempore Kehoe withheld unanimous consent for vote adds and vote changes for the remainder of this day.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3:04 p.m., by unanimous consent, the members of the Committee on Insurance were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

Parliamentary Inquiry

Assembly Member Bogh arose to the following parliamentary inquiry:

If Members of the Committee on Insurance leave the Floor to attend a hearing, is unanimous consent withheld to add to votes missed while off the Floor?

Reply by Speaker pro Tempore Kehoe

Speaker pro Tempore Kehoe replied that Members of the Committee on Insurance will be permitted to add to votes missed during the hearing of the committee off the Floor.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Goldberg announced that the Committee on Education would meet today, upon adjournment of Floor session, in Room 437.

Assembly Member Corbett announced that the Committee on Judiciary would meet on Monday, September 8, 2003 at 11 a.m.

CAUCUS ANNOUNCEMENTS

At 3:10 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 3:10 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 4:12 p.m., the Assembly reconvened.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 4, 2003

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

Assembly Bill No. 104	Assembly Bill No. 1022
Assembly Bill No. 186	Assembly Bill No. 1034
Assembly Bill No. 202	Assembly Bill No. 1045
Assembly Bill No. 245	Assembly Bill No. 1064
Assembly Bill No. 305	Assembly Bill No. 1287
Assembly Bill No. 315	Assembly Bill No. 1337
Assembly Bill No. 513	Assembly Bill No. 1349
Assembly Bill No. 529	Assembly Bill No. 1402
Assembly Bill No. 813	Assembly Bill No. 1537
Assembly Bill No. 928	Assembly Bill No. 1544

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

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

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

Higher Education, on Friday, September 5, 2003;

Elections, Redistricting and Constitutional Amendments, on Monday, September 8, 2003.

REPORTS OF STANDING COMMITTEES

Committee on Insurance

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 652

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

VARGAS, Chair

Above bill ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 36 (Chesbro)—An act to add Section 14132.100 to the Welfare and Institutions Code, relating to Medi-Cal.

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

Bill passed by the following vote:

AYES—73

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

NOES—1

Mountjoy

Bill ordered transmitted to the Senate.

SENATE BILL NO. 730 (Burton)—An act to amend Section 1773 of the Labor Code, relating to prevailing wages.

Bill read third time.

Motion to Amend

Assembly Member Koretz moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members La Suer, Cogdill, and Benoit, demanded a roll call.

The roll was called, and the Koretz amendments adopted by the following vote:

AYES—69

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

NOES—2

La Suer Mountjoy

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

ACTION RESCINDED ON SENATE BILL NO. 530

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on August 28, 2003 (Assembly Journal, page 3231), passed Senate Bill No. 530, and whereby the bill was ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bills Nos. 902, 906, 666, and 83 be removed from the inactive file.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1217

Assembly Member Leno was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1217; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 28, 2003 (Assembly Journal, page 3156); 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 to permit the following bills to be heard in committees as noted:

Committee on Higher Education to hear Senate Bill No. 644, on Friday, September 5, 2003, upon call of the Chair;

Committee on Elections, Redistricting, and Constitutional Amendments to hear Assembly Bills Nos. 190 and 1679 on Monday, September 8, 2003, prior to Floor session;

Committee on Governmental Organization to hear Senate Bill No. 930 on Friday, September 5, 2003, upon adjournment of Floor session;

Committee on Local Government to hear Assembly Bill No. 650 on Friday, September 5, 2003, prior to Floor session.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend Joint Rule 62(a) to permit the Committee on Judiciary to hear Senate Bill No. 494 on Friday, September 5, prior to Floor session.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend

Assembly Member Chan moved to suspend Joint Rule 62(a) to permit the Committee on Judiciary to hear Senate Bill No. 494, on Friday, September 5, prior to Floor session:

Assembly Member Vargas seconded the motion:

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

AYES—47

Berg	Dymally	Litt	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	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Horton; Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

(NOTE: Later this day, the action was rescinded whereby the motion was made and a roll call vote taken to suspend rules as they relate to Senate Bill No. 494. See page 3428.)

RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 98

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 Senate Bill No. 98 (Assembly Journal, page 3410), and that the bill be passed on file, to retain its place on file.

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

SENATE BILL NO. 1080 (Committee on Business and Professions)—An act to amend Sections 1973, 2154.4, 5001, 5061, 5081, 5081.1, 5082, 5082.2, 5107, 5134, 7583.6, and 7583.9 of, to add Section 5115 to, to repeal Section 5091 of, and to repeal and add Section 5082.1 to, the Business and Professions Code, relating to professions and vocations, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Maldonado moved the adoption of amendments. Amendments read and adopted by the following vote:

AYES—77

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

NOES—None

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

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 694**

At 4:26 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 694

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 Senate Bill No. 694, and that the bill be passed on file, to retain its place on file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 705**

At 4:27 p.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 705 refused passage by the following vote:

AYES—35

Berg	Goldberg	Longville	Reyes
Bermudez	Hancock	Lowenthal	Ridley-Thomas
Chan	Jackson	Montanez	Salinas
Chu	Kehoe	Mullin	Simitian
Cohn	Koretz	Nakano	Steinberg
Corbett	Laird	Nation	Wiggins
Correa	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Pavley	

NOES—34

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

**Motion to Reconsider Senate Bill No. 705
on Next Legislative Day**

Assembly Member Reyes moved to reconsider on the next legislative day the vote whereby Senate Bill No. 705 was this day refused passage. Senate Bill No. 705 ordered to the unfinished business file.

OBJECTION WITHDRAWN

Speaker pro Tempore Kehoe withdrew her objection to any requests for vote adds or vote changes on the roll call votes taken on this day.

CONSIDERATION OF CONSENT CALENDAR

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

Consent Calendar—Senate Bill

SENATE BILL NO. 1024 (Committee on Elections and Reapportionment)—An act to amend Section 5091 of the Education Code, to amend Sections 3103, 3304, 3500, 4101, 7227, 7422, 7672, 7772, 8105, 8202, 8204, 10220, 10411, 11020, 13113, and 14242 of, to repeal Section 8023 and Chapter 2 (commencing with Section 8350) of Part 2 of Division 18 of, and to repeal and add Sections 7770 and 8022, of, the Elections Code, to amend Section 26802 of the Government Code, and to amend Section 9358 of the Public Resources Code, relating to elections.

Bill read third time, and passed by the following vote:

AYES—78

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

NOES—None

Bill ordered transmitted to the Senate.

ACTION RESCINDED ON SENATE BILL NO. 78

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on September 2, 2003 (Assembly Journal, page 3319), passed Senate Bill No. 78, and whereby the bill was ordered transmitted to the Senate.

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 564, 277, and 317 for hearing in the Committee on Water, Parks and Wildlife on Friday, September 5, 2003, upon adjournment of Floor session.

Assembly Member Cogdill withheld unanimous consent.

**ACTION RESCINDED ON MOTION TO SUSPEND RULES
AS IT RELATES TO SENATE BILL NO. 494**

Speaker pro Tempore Kehoe was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3425), a roll call vote was taken to suspend Joint Rule 62(a) as it relates to Senate Bill No. 494.

ADJOURN IN MEMORY

Assembly Members Koretz and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Harriet McElroy Luckman, of Los Angeles.

(Assembly Rule 45.5 suspended.)

APOLOGY OFFERED

Assembly Member Spitzer offered an apology for remarks used in debate on Senate Bill No. 489.

ADJOURN IN MEMORY

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret Kamena, of Oakland and Florence Vargas, of Livermore.

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gusti Marie Kerstiens, of Red Bluff.

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lawrence Billiou, of Porterville.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gordon E. Harrison, of Lancaster.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James George Leathers, of Woodland.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Salinas announced that the Committee on Local Government would meet on Friday, September 5, 2003 at 9:30 a.m., in Room 126.

VOTE ADDS

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

Senate Bill No. 656: Canciamilla, Correa, Frommer, Jerome Horton, Lowenthal, and Maddox—Aye; Daucher, Keene, Leslie, and Plescia—No.

Senate Bill No. 226, Jackson Amendments: Canciamilla, Daucher, Frommer, Garcia, Maldonado, and Spitzer—Aye; Dutton, Haynes, Houston, and Plescia—No.

Senate Bill No. 88: Canciamilla, Correa, Frommer, Garcia, Jackson, Koretz, Maddox, Plescia, and Simitian—Aye.

Senate Bill No. 577: Canciamilla, Corbett, Diaz, Jerome Horton, and Wolk—Aye; Plescia—No.

Senate Bill No. 708: Maldonado, McCarthy, Plescia, and Samuelian—Aye.

Senate Bill No. 868, Montanez Amendments: Canciamilla and Maddox—Aye; Cox, Garcia, Plescia, and Strickland—No.

Senate Bill No. 916: Jerome Horton and Yee—Aye; Garcia and Plescia—No.

Senate Bill No. 210: Canciamilla, Cohn, Correa, Diaz, Dutton, Garcia, Jerome Horton, Shirley Horton, Keene, Nakano, Pacheco, Plescia, and Vargas—Aye; Mountjoy—No.

Senate Bill No. 155: Aghazarian, Canciamilla, Garcia, Jerome Horton, Pacheco, and Simitian—Aye; McCarthy, Mountjoy, Plescia, Samuelian, Spitzer, and Wyland—No.

Senate Bill No. 478: Canciamilla, Shirley Horton, Maddox, and Richman—Aye; Aghazarian, La Suer, Pacheco, and Plescia—No.

Senate Bill No. 1075: Canciamilla, Pacheco, Plescia, Reyes, and Wyland—Aye.

Senate Bill No. 937, Frommer Amendments: Canciamilla, Daucher, Pacheco, and Reyes—Aye; Dutton, McCarthy, Plescia, Runner, Samuelian, and Wyland—No.

Senate Bill No. 1078, Montanez Amendments: Canciamilla and Correa—Aye; McCarthy and Plescia—No.

Senate Bill No. 489: Canciamilla, Cohn, and Jerome Horton—Aye; Plescia—No.

Senate Bill No. 156: Canciamilla, Garcia, Jackson, La Malfa, McCarthy, Nakano, Plescia, Reyes, and Simitian—Aye; Haynes—No.

Senate Bill No. 162: Canciamilla, Frommer, and Reyes—Aye; Daucher, Dutton, Garcia, Haynes, McCarthy, Mountjoy, and Plescia—No.

Senate Bill No. 507: Canciamilla, Chu, Cohn, Daucher, McCarthy, Montanez, Mountjoy, Nakano, Plescia, Reyes, Runner, Simitian, Vargas, and Wyland—Aye.

Senate Bill No. 720: Canciamilla, Garcia, Nakano, and Reyes—Aye; Daucher, Dutton, Haynes, Shirley Horton, Mountjoy, Plescia, and Wyland—No.

Senate Bill No. 247: Aghazarian, Canciamilla, Daucher, Dymally, Keene, Leslie, Maddox, Nakano, Reyes, Samuelian, Spitzer, Strickland, Vargas, and Wyland—Aye; Cox, Dutton, Haynes, McCarthy, and Mountjoy—No.

Senate Bill No. 257: Canciamilla, Cox, Daucher, Dutton, Haynes, Maddox, Mountjoy, Nakano, Plescia, Reyes, Strickland, and Wyland—Aye.

Senate Bill No. 315: Canciamilla, Chan, Cox, Daucher, Dutton, Haynes, La Malfa, Maddox, Mountjoy, Nakano, Nunez, Plescia, Reyes, Strickland, and Wyland—Aye.

Senate Bill No. 1060: Canciamilla, Chan, Frommer, Shirley Horton, Koretz, Maddox, Mountjoy, Nakano, Nunez, Plescia, Reyes, Salinas, Simitian, and Wyland—Aye.

Senate Bill No. 644, Negrete McLeod Amendments: Canciamilla, Correa, Maddox, Nakano, and Reyes—Aye; Shirley Horton, Mountjoy, Plescia, and Wyland—No.

Senate Bill No. 295: Canciamilla, Maldonado, Parra, Reyes, Salinas, and Simitian—Aye; Mountjoy and Plescia—No.

Assembly Concurrent Resolution No. 66, Concurrence: Canciamilla, Cox, Dutton, Reyes, and Simitian—Aye; Maldonado, Mountjoy, and Plescia—No.

Assembly Concurrent Resolution No. 69, Concurrence: Canciamilla, Garcia, Keene, Maddox, Mountjoy, Plescia, Reyes, and Simitian—Aye.

Senate Bill No. 187, Goldberg Motion to Reconsider: Diaz, Jerome Horton, Jackson, Reyes, and Simitian—Aye; Campbell, McCarthy, Mountjoy, Plescia, Runner, and Samuelian—No.

Senate Bill No. 146: Canciamilla, Correa, Koretz, and Reyes—Aye; Garcia, Shirley Horton, Mountjoy, and Plescia—No.

Senate Bill No. 947: Correa, Garcia, Koretz, Mountjoy, Plescia, Reyes, and Simitian—Aye.

Senate Bill No. 448: Correa, Garcia, Jackson, Koretz, Mountjoy, Plescia, Reyes, and Simitian—Aye.

Senate Bill No. 279, La Malfa Amendments: Correa, Plescia, Reyes, and Ridley-Thomas—Aye; Mountjoy—No.

Senate Bill No. 969: Bates, Correa, Shirley Horton, Koretz, Mountjoy, Plescia, and Reyes—Aye.

Senate Bill No. 36: Bates, Canciamilla, Haynes, Jerome Horton, Shirley Horton, Maddox, Plescia, Strickland, and Wyland—Aye.

Senate Bill No. 730, Koretz Amendments: Bates, Dutton, Garcia, Shirley Horton, McCarthy, Plescia, and Strickland—Aye.

Chan Motion to Suspend Rules: Bates, Shirley Horton, and Plescia—No.

Senate Bill No. 1080, Maldonado Amendments: Plescia—Aye.

Senate Bill No. 705: Plescia—No.

Consent Calendar: Plescia—Aye.

MOTION TO ADJOURN

At 4:35 p.m., Assembly Member Bogh moved that the Assembly do now adjourn.

Assembly Member Maze seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 4:35 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 19—Lowenthal (Coauthors: Bates, Canciamilla, Correa, Daucher, Harman, Shirley Horton, Richman, and Wolk). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing and adding Section 1 of Article XXI thereof, relating to redistricting.

APPOINTMENT OF COMMITTEE ON CONFERENCE

The Speaker appointed the following Assembly Members as a Committee on Conference concerning Senate Bill No. 552:

Pavley, Nation, and Harman.

REPORTS OF STANDING COMMITTEES**Committee on Education**

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 97

Without recommendation.

GOLDBERG, Chair

Above bill ordered to unfinished business.

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 954

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

GOLDBERG, Chair

Above bill ordered to unfinished business.

ADJOURNMENT

At 4:36 p.m., pursuant to the motion by Assembly Member Bogh, the Assembly adjourned until 10 a.m., Friday, September 5, 2003, out of respect to the memory of Harriet McElroy Luckman, on motion of Assembly Member Koretz and Goldberg; out of respect to the memory of Margaret Kamena and Florence Vargas, on motion of Assembly Member Houston; out of respect to the memory of Gusti Marie Kerstiens, on motion of Assembly Member La Malfa; out of respect to the memory of Lawrence Billiou, on motion of Assembly Member Maze; out of respect to the memory of Gordon E. Harrison, on motion of Assembly Member Runner; and out of respect to the memory of James George Leathers, on motion of Assembly Member Wolk.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 4, 2003

—————

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

AB	RN	SB	RN
980	0318752	556	0319041
		588	0318616
		631	0318945
SB	RN	644	0318822
24	0318913	680	0316250
33	0316759	686	0319078
56	0318878	700	0318932
87	0315205	704	0318767
157	0319085	730	0319206
185	0318721	853	0319161
226	0318807	868	0319055
262	0318850	916	0319077
279	0318220	937	0319166
288	0319157	964	0319155
352	0318881	971	0318587
377	0318534	1061	0318865
412	0318827	1078	0318530
420	0318776	1080	0318683
469	0319044		
495	0318823		
Daily Total:		35	
Cumulative Total:		2769	

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 5, 2003

**ONE HUNDRED TWENTY-FOURTH SESSION DAY
TWO HUNDRED SEVENTY-EIGHTH 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
Friday, September 5, 2003

The Assembly met at 10 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 Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 10:01 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 10:06 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:

Heavenly Father, You have shown us that the truth of faith is Your revelation of divine love. Our crowning joy in life is sharing in the banquet of faith with one another, where the richness of Your goodness invites us all to rejoice. For You are the God of love—You reward through love and reprove through love. Love created all things in the beginning, and love will judge all things in the end. Teach us to love more perfectly, Lord, and more completely.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Dymally 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

COMMUNICATIONS

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

September 3, 2003

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

RE: Appointment of Norman Hui and Albert Seto
to Commission on Asian and Pacific Islander American Affairs

Dear Mr. Wilson: Please be advised I have appointed Dr. Norman Hui and Mr. Albert Seto to the Commission on Asian and Pacific Islander American Affairs. These are term appointments starting September 3, 2003 and the expiration date is January 1, 2005.

Sincerely,

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

September 3, 2003

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

RE: Appointment of Paul Osaki and Luisa Blue
to Commission on Asian and Pacific Islander American Affairs

Dear Mr. Wilson: Please be advised I have appointed Mr. Paul Osaki and Ms. Luisa Blue to the Commission on Asian and Pacific Islander American Affairs. These are term appointments starting September 3, 2003 and the expiration date is January 1, 2007.

Sincerely,

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

September 3, 2003

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

RE: Appointment of Liane Weintraub
to Santa Monica Mountains Conservancy Advisory Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Liane Weintraub to the Santa Monica Mountains Conservancy Advisory Committee. This is a pleasure appointment starting September 3, 2003. Ms. Weintraub will be replacing Rabbi Lee Bycel

Sincerely,

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

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

September 5, 2003

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

Dear Dotson: This is to advise you that I have appointed Assemblymember Lloyd Levine to fill the vacancy on the Assembly Judiciary Committee for the Monday, September 8th hearing only.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 5, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 980

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, September 5, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 138

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bill was referred to committee:

<i>Assembly</i>	
<i>Bill No.</i>	<i>Committee</i>
537 -----	Jud.

**AUTHOR'S AMENDMENTS
Committee on Judiciary**

September 5, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 537

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

CORBETT, Chair

ASSEMBLY BILL NO. 537—An act to amend Section 7285 of the Government Code, relating to employment.

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 5, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Senate Bill No. 122

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

CORBETT, Chair

SENATE BILL NO. 122—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 second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES**Committee on Higher Education**

Date of Hearing: September 5, 2003

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 644

With the recommendation: Do pass.

LIU, Chair

Above bill ordered to second reading.

Committee on Veterans Affairs

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Bill No. 838

With the recommendation: Do pass.

PARRA, Chair

Above bill ordered to second reading.

Date of Hearing: September 4, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 1736

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

PARRA, Chair

Above bill ordered to unfinished business.

Committee on Business and Professions

Date of Hearing: September 5, 2003

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

Assembly Bill No. 663

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

CORREA, Chair

Above bill ordered to unfinished business.

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Office, Sacramento

September 3, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 109 which would make it specifically unlawful for public school employers to knowingly provide inaccurate information regarding its financial resources with respect to information requested by an exclusive representative during the collective bargaining process and thereafter.

While existing law already generally provides that a public school employer must negotiate "in good faith" with the exclusive representative of employees, it does not specifically define the "knowing provision of inaccurate financial information" as a "per se" failure to bargain in good faith. By signing this bill, I am clarifying in the law that such actions constitute bad faith bargaining under EERA.

A successful collective bargaining process depends upon both parties operating in good faith.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 4, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 414, which would allow certified administrators of Residential Care Facilities for the Elderly (RCFE) to take up to 20 hours of required continuing education courses online.

I am directing the department to implement this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Office, Sacramento
September 4, 2003

To the Members of the California Legislature:

I am signing Assembly Bill No. 1207, which would allow school districts, community college districts, and county offices of education the discretion to provide a choice of two early retirement incentive plans for members of the California State Teachers' Retirement System. One plan would extend two additional years of service credit if certificated employees retire during a designated time period. The other plan would provide two additional years of service credit and two years of additional age credit for retirements that occur during a designated time period.

In the future, I am prepared to only sign a bill that similarly provides the Director of the Department of Personnel Administration with the discretion whether or not to offer a retirement incentive to State employees, and to utilize the collective bargaining process to ensure that the incentive, if offered, is appropriately tailored to achieve cost savings for the State.

Sincerely,

GRAY DAVIS

BILL RETURNED TO SENATE

Assembly Member Nation was granted unanimous consent that Assembly Bill No. 97 be returned to the Senate for further action.

ASSEMBLY BILL NO. 1101 WITHDRAWN FROM ENROLLMENT

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 1101 be withdrawn from enrollment and that the bill be held at the Desk.

ACTION RESCINDED ON SENATE BILL NO. 842

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on July 17, 2003 (Assembly Journal, page 2824), passed Senate Bill No. 842, and whereby the bill was ordered transmitted to the Senate.

ACTION RESCINDED ON SENATE BILL NO. 348

Assembly Member Chan was granted unanimous consent to rescind the action whereby, on September 2, 2003 (Assembly Journal, page 3315), Senate Bill No. 348 was re-referred to the Committee on Local Government pursuant to Assembly Rule 77.2.

**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. 348 to the Committees on Local Government and Appropriations.

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes withheld unanimous consent on the following:

ALL motions to “Pass and Retain” on every single bill which is taken up by the Assembly today, such that the failure of either an author or Floor author to take up a bill which appears on today’s Assembly Third Reading File will in fact constitute a “Pass On File;”

ALL motions to “Pass Temporarily” on every single bill which comes before the Assembly today, such that while throughout the course of the day’s proceedings the Presiding Officer may return to a measure for purposes of taking that measure up for a vote, upon adjournment of today’s session the failure of either an author or Floor author to take up a bill which appears on today’s Assembly Third Reading File will in fact constitute a “Pass On File.”

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate Bills were this day on the second reading file:

Senate Bills Nos. 24, 56, 87, 262, 352, 412, 420, 495, 556, 588, 680, 700, 704, 971, 33, 686, 853, 964, and 288, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 20—An act to add Article 11.7 (commencing with Section 25243) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Article 4 (commencing with Section 41516) to Chapter 3.5 of Part 2 of, and Chapter 8.5 (commencing with Section 42460) to Part 3 of, Division 30 of the Public Resources Code, relating to hazardous and solid waste.

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

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

ASSEMBLY BILL NO. 24 (Negrete McLeod)—An act to amend Sections 1102.18 and 1940.7.5 of the Civil Code, and to add Section 115929 to the Health and Safety Code, relating to public safety.

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

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

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

AYES—57

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

NOES—22

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 43 (Daucher)—An act to amend Sections 12300, 14139.05, 14139.1, 14139.11, 14139.13, 14139.2, 14139.21, 14139.23, 14139.24, 14139.25, 14139.3, 14139.31, 14139.33, 14139.34, 14139.38, 14139.4, 14139.41, 14139.43, 14139.44, 14139.5, 14139.53, 14139.6, 14139.62, 14145, and 14145.1 of, to amend the heading of Article 4.3 (commencing with Section 14139.05) of Chapter 7 of Part 3 of Division 9 of, to add Sections 14139.30, 14139.63, and 14145.11 to, to add Article 4.31 (commencing with Section 14139.80) to Chapter 7 of Part 3 of Division 9 of, to repeal Sections 14139.12, 14139.35, 14139.36, and 14139.51 of, and to repeal and add Sections 14139.32, 14139.37, and 14139.42 of, the Welfare and Institutions Code, relating to long-term care.

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

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

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

AYES—74

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

NOES—1

Koretz

Above bill ordered enrolled.

ASSEMBLY BILL NO. 76 (Corbett)—An act to amend Section 12940 of the Government Code, relating to unlawful employment practices.

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.)

Parliamentary Inquiry

Assembly Member Cox arose to the following parliamentary inquiry:

Are Assembly Member Leno's remarks germane to the debate on Assembly Bill No. 76?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied in the affirmative.

The question being on concurrence in Senate amendments.

Amendments concurred in by the following vote:

AYES—53

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

NOES—26

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

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 76: Assembly Member Wyland, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 248 (Nunez)—An act to amend Section 6988 of, and to repeal Section 6989 of, of the Food and Agricultural Code, relating to advisory boards.

Bill presented by Assembly Member Chan.

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

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

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

AYES—69

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

NOES—9

Bogh	Dutton	La Suer
Campbell	Harman	Maze
Daucher	Haynes	Wyland

Above bill ordered enrolled.

(NOTE: For explanation of vote by Assembly Member Maze relative to Assembly Bill No. 248, see Assembly Journal for September 8, 2003, page 3507.)

ASSEMBLY BILL NO. 560 (Goldberg)—An act to amend Section 37670 of the Education Code, relating to school programs.

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

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

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

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	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	
Dutton	Levine	Parra	

NOES—1

Campbell

Above bill ordered enrolled.

ASSEMBLY BILL NO. 739 (Jackson)—An act to amend Section 706.030 of the Code of Civil Procedure, and to amend Sections 4200, 4201, 4204, 5235, 5237, 5240, 5247, 5253, and 17309 of, and to add Sections 17311, 17311.5, and 17311.7 to, the Family Code, relating to child support, and making an appropriation therefor.

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

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

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

AYES—78

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

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 839 (Salinas)—An act to amend Sections 26202.6, 34090.6, and 34090.7 of, to add Sections 26206.7, 26206.8, and 34090.8 to, to add Article 9 (commencing with Section 53160) to Chapter 1 of Part 1 of Division 2 of Title 5 of, and to repeal Section 26202.3 of, the Government Code, and to add Section 99164 to the Public Utilities Code, relating to local government records.

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

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

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

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 938 (Yee)—An act to add Sections 2987.2, 4984.75, and 4996.65 to the Business and Professions Code, and to add Article 4 (commencing with Section 128454) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to health professions.

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—43

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

NOES—32

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 946 (Berg)—An act to amend Section 11364.7 of, and to add Chapter 17 (commencing with Section 121347) to Part 4 of Division 105 of, the Health and Safety Code, relating to AIDS.

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—44

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

NOES—34

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1124 (Nunez)—An act to add Sections 17070.755 and 17584.3 to the Education Code, relating to public schools.

Bill presented by Assembly Member Chan.

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

NOES—27

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

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 1124: Assembly Member Wyland, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1418 (Laird)—An act to amend Section 27 of the Business and Professions Code, and to amend Sections 1741 and 1775 of the Labor Code, relating to labor.

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—64

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

NOES—15

Benoit	Dutton	La Malfa	Nakanishi
Campbell	Harman	La Suer	Pacheco
Cogdill	Haynes	Maze	Runner
Cox	Houston	Mountjoy	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1555 (Nakano)—An act to amend, repeal, and add Sections 654 and 654.05 of, and to add Section 654.03 to, the Harbors and Navigation 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—50

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

NOES—29

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1625 (Benoit)—An act to amend Section 27315 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—71

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

NOES—7

Bogh	Goldberg	La Malfa	Maze
Dymally	Haynes	Leslie	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1697 (Pavley)—An act to amend, repeal, and add Section 27360 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—59

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

NOES—19

Bates	Cox	La Malfa	Nakanishi
Benoit	Dutton	Leslie	Runner
Bogh	Haynes	Maze	Strickland
Campbell	Houston	McCarthy	Wyland
Cogdill	Keene	Mountjoy	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1697: Assembly Member Plescia, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1201 (Berg)—An act to add Sections 14132.28 and 14132.29 to the Welfare and Institutions Code, relating to Medi-Cal.

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

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

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

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	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	
Dutton	Levine	Parra	

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1201: Assembly Member Plescia, from “No” to “Aye”.

Above bill ordered enrolled.

**At 11:45 a.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ASSEMBLY BILL NO. 14 (Jerome Horton)—An act to add and repeal Article 60.3 (commencing with Section 20919) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

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

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

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

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	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

NOES—31

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 115 (Jerome Horton)—An act to amend Sections 35294.7 and 44276.1 of, and to add Section 35294.95 to, the Education Code, relating to school safety.

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

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

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

AYES—54

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

NOES—24

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

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 115: Assembly Members Plescia, and Shirley Horton, from “No” to “Aye”; Assembly Member Daucher, from “No” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 369 (Bermudez)—An act to add Section 21230 to the Government Code, relating to public employees’ retirement.

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	Dymally	Liu	Pavley
Bates	Frommer	Longville	Plescia
Benoit	Garcia	Lowenthal	Reyes
Berg	Hancock	Maddox	Ridley-Thomas
Bermudez	Harman	Maldonado	Runner
Bogh	Horton, Jerome	Matthews	Salinas
Calderon	Horton, Shirley	Maze	Samuelian
Chan	Houston	McCarthy	Simitian
Chavez	Jackson	Montanez	Spitzer
Chu	Keene	Mountjoy	Steinberg
Cogdill	Kehoe	Mullin	Strickland
Cohn	Koretz	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
Dutra	Levine	Pacheco	
Dutton	Lieber	Parra	

NOES—3

Campbell	Haynes	Richman
----------	--------	---------

Above bill ordered enrolled.

BILLS RETURNED TO SENATE

Assembly Member Chu was granted unanimous consent that Assembly Bill No. 455 be returned to the Senate for further action.

At 11:56 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 199 (Oropeza)—An act to add Chapter 7 (commencing with Section 99560) to Part 11 of Division 10 of the Public Utilities Code, relating to transit employer-employee relations.

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

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

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

AYES—48

Berg	Dymally	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—30

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

Above bill ordered enrolled.

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

Pursuant to Assembly Rule 78, Assembly Member Canciamilla announced his intention to request that Senate Bill No. 692 be removed from the inactive file.

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

ASSEMBLY BILL NO. 552 (Chavez)—An act to add Section 21039 to the Government Code, relating to public employees' retirement.

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	Plescia
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	McCarthy	Simitian
Canciamilla	Horton, Shirley	Montanez	Spitzer
Chan	Houston	Mountjoy	Steinberg
Chavez	Jackson	Mullin	Strickland
Chu	Keene	Nakanishi	Vargas
Cogdill	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	La Malfa	Negrete McLeod	Wyland
Correa	La Suer	Nunez	Yee
Cox	Laird	Oropeza	Mr. Speaker
Daucher	Leno	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—2

Haynes Maze

Above bill ordered enrolled.

ASSEMBLY BILL NO. 593 (Ridley-Thomas)—An act to amend Section 3206 of, and to add Article 3.5 (commencing with Section 2145) to Chapter 2 of Division 2 of, the Elections Code, and to amend Section 12950 of, and to add Section 12950.5 to, the Vehicle Code, relating to voter registration.

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 642 (Mullin)—An act to add Section 60605.4 to 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—46

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	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—33

Aghazarian	Garcia	Leslie	Richman
Bates	Goldberg	Maddox	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	
Dutton	La Suer	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 847 (Pavley)—An act to amend Section 31220 of, and to amend the heading of Chapter 5.5 (commencing with Section 31220) of Division 21 of, the Public Resources Code, relating to natural resources.

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

NOES—4

Dutton	Haynes	La Malfa	La Suer
--------	--------	----------	---------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 866 (Pavley)—An act to amend Sections 30940, 30947, and 30950 of the Public Resources Code, and to amend Section 79543 of, and to add Section 79563.5 to, the Water Code, and to repeal Section 7 of Chapter 727 of the Statutes of 2002, relating to water quality.

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

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

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

AYES—78

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

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 984 (Vargas)—An act to amend Section 1794.41 of the Civil Code, and to amend Sections 116, 116.5, and 1634 of, and to add Part 8 (commencing with Section 12800) to Division 2 of, the Insurance Code, relating to service contracts.

Bill presented by Assembly Member Chan.

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

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

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

AYES—78

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

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1031 (Correa)—An act to amend Sections 25102, 25212, 25230, 25232, 25241, 25247, 25252, 25532, 25540, 25541, and 25612.5 of, and to add Sections 25256, 25404, and 25612.3 to, the Corporations Code, and to amend Sections 12221, 17209.3, 22109, and 23001 of, and to add Sections 12307.5, 17424, and 22705.1 to, the Financial Code, relating to financial institutions.

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

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

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

AYES—77

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

NOES—2

Campbell Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1059 (Lieber)—An act to amend Section 1942.5 of, and to add Section 1940.2 to, the Civil Code, relating to landlord and tenant.

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—49

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

NOES—29

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1244 (Chu)—An act to amend Sections 17073.15, 17073.20, and 17074.10 of the Education Code, relating to school facilities.

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

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

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

AYES—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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1350 (Simitian)—An act relating to the Ravenswood City Elementary School District, and making an appropriation therefor.

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

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

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

AYES—51

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Canciamilla	Hancock	Maldonado	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	Leslie	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Parra	

NOES—27

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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1525 (Longville)—An act to add Section 1353.6 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	Frommer	Lieber	Parra
Bates	Garcia	Liu	Plescia
Berg	Goldberg	Longville	Reyes
Bermudez	Hancock	Lowenthal	Richman
Calderon	Harman	Maddox	Ridley-Thomas
Campbell	Haynes	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Steinberg
Cogdill	Keene	Mountjoy	Strickland
Cohn	Kehoe	Mullin	Vargas
Corbett	Koretz	Nakanishi	Wiggins
Correa	La Malfa	Nakano	Wolk
Cox	La Suer	Nation	Wyland
Diaz	Laird	Negrete McLeod	Yee
Dutra	Leno	Nunez	Mr. Speaker
Dymally	Leslie	Oropeza	
	Levine	Pacheco	

NOES—3

Benoit	Dutton	Spitzer
--------	--------	---------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1716 (Committee on Human Services)—An act to amend Section 17605 of the Welfare and Institutions Code, relating to human services.

Bill presented by Assembly Member Wolk.

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

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

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

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1742 (Committee on Revenue and Taxation)—An act to amend Sections 18621.9, 19104, 19120, 19368, 19411, and 23114 of, to amend and renumber Section 24328 of, and to add Section 19520 to, the Revenue and Taxation Code, relating to taxation.

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, and the Assembly concurred in Senate amendments by the following vote:

AYES—46

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

NOES—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	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 942 (Leno)—An act to add Section 49414.5 to the Education Code, relating to pupil health.

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

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

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

AYES—77

Aghazarian	Frommer	Liu	Plescia
Bates	Garcia	Longville	Reyes
Benoit	Goldberg	Lowenthal	Richman
Berg	Hancock	Maddox	Ridley-Thomas
Bermudez	Harman	Maldonado	Runner
Bogh	Haynes	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	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	
Dutton	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 954 (Goldberg)—An act to amend Sections 44500 and 44664 of the Education Code, relating to teachers.

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

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

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

AYES—61

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

NOES—17

Bates	Cox	La Suer	Strickland
Benoit	Daucher	Leslie	Wyland
Bogh	Haynes	Mountjoy	
Campbell	Keene	Plescia	
Cogdill	La Malfa	Richman	

Above bill ordered enrolled.

BILLS RETURNED TO THIRD READING FILE

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

Senate Bill No. 814, on request of Assembly Member Bermudez;

Senate Bills Nos. 902, 906, 666, and 83, on request of Assembly Member Chan.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 100 and Senate Bills Nos. 1041 and 1043 were continued until the next legislative day.

SENATE BILL NO. 27 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Wiggins was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 27 was refused passage.

Further Consideration of Senate Bill No. 27

SENATE BILL NO. 27 (Figueroa)—An act to amend Section 1798.84 of, and to repeal and add Section 1798.83 to, the Civil Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Wiggins moved the adoption of amendments.

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

MOTION TO RECONSIDER ASSEMBLY BILL NO. 419 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 419 was continued until the next legislative day.

MOTION TO RECONSIDER SENATE BILL NO. 300

Request for Reconsideration

In compliance with a motion given on a previous day by Assembly Member Leno, Assembly Member Frommer requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 300 was refused passage.

Assembly Member Haynes withheld unanimous consent.

Motion

Assembly Member Frommer moved that the vote be reconsidered whereby Senate Bill No. 300 was refused passage.

Senate Bill No. 300 reconsidered by the following vote:

AYES—45

Berg	Dymally	Longville	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Salinas
Calderon	Goldberg	Matthews	Simitian
Canciamilla	Hancock	Montanez	Steinberg
Chan	Jackson	Mullin	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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

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.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—41

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

NOES—32

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

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. 300 to the Committees on Judiciary and Appropriations.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1740 and Senate Bill No. 1072 were continued until the next legislative day.

MOTION TO RECONSIDER SENATE BILL NO. 489

In compliance with a motion given on a previous day, Assembly Member Strickland moved that the vote be reconsidered whereby Senate Bill No. 489 was passed.

Senate Bill No. 489 refused reconsideration by the following vote:

AYES—32

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

NOES—43

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

Senate Bill No. 489 ordered transmitted to the Senate.

MOTION TO RECONSIDER SENATE BILL NO. 705 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 705 was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 37 (Firebaugh)—Relative to Amtrak and rail funding.

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

AYES—46

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

NOES—30

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

Resolution ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 252, on request of Assembly Member Jackson.

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

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

SENATE BILL NO. 277 (Ducheny)—An act to add Section 2840 to the Fish and Game Code, relating to water, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Kehoe 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 Assistant Speaker pro Tempore re-referred Senate Bill No. 277 to the Committee on Water, Parks and Wildlife.

At 1:04 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

SENATE BILL NO. 833 (Machado)—An act to add Section 6533 to the Government Code, and to amend Section 1220 of, and to amend and repeal Section 1011.5 of, the Water Code, relating to water.

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

Bill passed by the following vote:

AYES—56

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

NOES—18

Aghazarian	Cox	Maddox	Plescia
Bates	Dutton	Maze	Samuelian
Bogh	Haynes	McCarthy	Wyland
Campbell	Keene	Mountjoy	
Cogdill	La Malfa	Nakanishi	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 833: Assembly Members Bates and Maze, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 551 (Speier)—An act to add Section 758.5 to the Insurance Code, relating to auto insurance.

Bill read third time.

Motion to Amend

Assembly Member Campbell moved the adoption of amendments.

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

SENATE BILL NO. 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. 238 (Perata)—An act to amend Sections 666.7, 11108.3, 12021, 12028, 12074, 12077, 12201, 12280, 12285, 12287, 12290, and 12301 of the Penal Code, relating to deadly weapons.

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. 292 (Speier)—An act to amend Section 4076 of the Business and Professions Code, relating to pharmacy.

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

Bill passed by the following vote:

AYES—61

Bates	Goldberg	Longville	Reyes
Berg	Hancock	Lowenthal	Richman
Bermudez	Harman	Maldonado	Ridley-Thomas
Bogh	Horton, Jerome	Matthews	Salinas
Calderon	Horton, Shirley	Maze	Simitian
Canciamilla	Houston	Montanez	Steinberg
Chan	Jackson	Mountjoy	Strickland
Chavez	Keene	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker
Dymally	Leslie	Parra	
Frommer	Levine	Pavley	
Garcia	Lieber	Plescia	

NOES—15

Aghazarian	Correa	Haynes	Nakanishi
Benoit	Cox	La Malfa	Samuelian
Campbell	Daucher	Maddox	Spitzer
Cogdill	Dutton	McCarthy	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 292: Assembly Member Nakanishi, from “Aye” to “No”; Assembly Member Negrete McLeod, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 434 (Escutia)—An act to amend Sections 25533, 25533.5, and 29544 of the Corporations Code, to amend Sections 3309.5, 11180.5, 11181, 11183, 11184, 11185, 11186, 11187, and 11188 of, and to add Article 10 (commencing with Section 12657) to Chapter 6 of Part 2 of Division 3 of Title 2 of, the Government Code, and to add Section 131 to the Penal Code, relating to investigations.

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

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

At 1:13 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 1:13 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 1:40 p.m., the Assembly reconvened.

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 5, 2003

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

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

And reports the same correctly enrolled, and presented to the Secretary of State on the 5th day of September, 2003, at 10:45 a.m.

E. DOTSON WILSON, Chief Clerk

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

SENATE BILL NO. 490 (Alpert)—An act to amend Section 4052 of the Business and Professions Code, relating to pharmacy.

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

Bill passed by the following vote:

AYES—51

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

NOES—27

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 186 (Murray)—An act to add Article 1.8 (commencing with Section 17529) to Chapter 1 of Part 3 of Division 7 of, and to repeal Sections 17538.4 and 17538.45 of, the Business and Professions Code, relating to privacy.

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. 545 (Speier)—An act to amend Section 4052 of, and to add Section 682 to, the Business and Professions Code, relating to pharmacists.

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

Bill passed by the following vote:

AYES—48

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

NOES—29

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1077 (Committee on Business and Professions)—An act to amend Sections 29.5, 2060, 2135.5, 2190.5, 2285, 2386, 2415, 2441, 2442, 2570.4, 4980.43, 4980.44, 4980.57, 4982, 4982.2, 4984.8, 4996.18, 4996.21, 4996.22, 4996.23, 5657, 6737.1, 6737.3, 6756, 7029.1, 7124.6, 7138, 7141, 8030.2, 8762, 8766, 8773.2, and 8773.4 of, to amend and repeal Section 4997 of, to amend, repeal, and add Section 2439 of, to add Sections 7013.5, 7027.4, 7116.5, and 8710.1 to, and to repeal Section 2106 of, the Business and Professions Code, and to amend Section 19825 of the Health and Safety Code, relating to professions and vocations.

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

Bill passed 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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1077: Assembly Member Reyes, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 84 (Scott)—An act to repeal Section 44306 of the Education Code, relating to teacher credentialing.

Bill read third time.

Motion to Amend

Assembly Member Bermudez moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and Cox, demanded a roll call.

The roll was called, and the Correa amendments adopted by the following vote:

AYES—48

Berg	Dutra	Lieber	Parra
Bermudez	Dymally	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
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker

NOES—31

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

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

SENATE BILL NO. 18 (Burton)—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, and 21097 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Cohn 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. 18 to the Committee on Natural Resources.

SENATE BILL NO. 317 (Kuehl)—An act to amend Section 2081.7 of the Fish and Game Code, to amend Section 1013 of the Water Code, and to amend Sections 1 and 9 of Chapter 617 of the Statutes of 2002, relating to the Salton Sea, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Canciamilla 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. 317 to the Committee on Water, Parks and Wildlife.

SENATE BILL NO. 413 (Speier)—An act to amend Section 9757.5 of the Welfare and Institutions Code, relating to health insurance.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 1:59 p.m.

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

SENATE BILL NO. 610 (Escutia)—An act to amend Section 12302 of, to amend, repeal, and add Section 12309 of, and to add Section 12309.5 to, the Elections Code, relating to elections.

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

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Negrete McLeod announced her intention to request that Senate Bill No. 626 be removed from the inactive file.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent that bills be taken up out of file order for purpose of consideration of proposed amendments.

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

SENATE BILL NO. 654 (Committee on Agriculture and Water Resources)—An act to amend Section 8557, 10644, and 10753.7 of the Water Code, relating to water, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Pavley 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. 654 to the Committee on Water, Parks and Wildlife.

SENATE BILL NO. 15 (Alpert)—An act to amend Sections 17073.15, 17073.20, 17074.10, 17077.40, 17077.42, 17077.45, 17078.52, 17078.53, 17078.54, 17078.56, 17078.57, 17078.58, 17078.62, and 17078.64 of, to add Section 17078.66 to, and to repeal Section 17078.50 of, the Education Code, and to amend Section 65352.2 of the Government Code, relating to education facilities.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

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

SENATE BILL NO. 130 (Chesbro)—An act to add Division 1.5 (commencing with Section 1180) to the Health and Safety Code, relating to mental health.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

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

SENATE BILL NO. 168 (Committee on Energy, Utilities and Communications)—An act to amend Sections 25401.2, 25523, 25525, and 25620.5 of, and to amend and renumber Section 25620.10 of, the Public Resources Code, to amend Sections 383.5 and 445 of, and to repeal Division 4.7 (commencing with Section 9201) of, the Public Utilities Code, and to amend Section 2 of Chapter 850 of the Statutes of 2002, relating to energy and telecommunications.

Bill read third time.

Motion to Amend

Assembly Member Diaz moved the adoption of amendments.

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

SENATE BILL NO. 248 (Murray)—An act to amend Sections 415, 426, 3001, 3003, 3051, and 3066 of, to add Section 3069.1 to, and to add Article 5 (commencing with Section 3070) to Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

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

SENATE BILL NO. 314 (Murray)—An act to add Section 130350.5 to the Public Utilities Code, relating to transportation.

Bill read third time.

Motion to Amend

Assembly Member Pavley moved the adoption of amendments.

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

SENATE BILL NO. 358 (Figueroa)—An act to amend Sections 2701, 2702, 2703, 2708, 2725, 2815, 2815.1, 2841, 2847, 2878, 2893, 2895, 4501, 4503, and 4521 of, and to add Sections 2725.5, 2878.1, 2895.5, and 4521.2 to, the Business and Professions Code, and to add Article 4 (commencing with Section 128475) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to healing arts.

Bill read third time.

Motion to Amend

Assembly Member Nation moved the adoption of amendments.

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

SENATE BILL NO. 810 (Burton)—An act to amend Sections 4514.3, 4582.7, and 4582.75 of, and to add Section 4582.71 to, the Public Resources Code, relating to natural resources.

Bill read third time.

Motion to Amend

Assembly Member Nation moved the adoption of amendments.

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

SENATE BILL NO. 857 (Speier)—An act to amend Sections 14043.1, 14043.15, 14043.65, 14043.75, 14044, 14123.25, 14124.12, and 14172.5 of, to amend the heading of Article 1.3 (commencing with Section 14043) of Chapter 7 of Part 3 of Division 9 of, and to add Sections 14043.26, 14043.27, 14043.28, 14043.29, 14043.341, 14043.47, 14105.05, and 14170.10 to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

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

SENATE BILL NO. 1008 (Machado)—An act to amend Sections 999.2, 999.5, 999.7, and 999.9 of the Military and Veterans Code, and to add Section 10115.9 to the Public Contract Code, relating to veterans.

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. 602 (Figueroa)—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Montanez moved the adoption of amendments.

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

SENATE BILL NO. 590 (Speier)—An act to add Section 1798.80.5 to the Civil Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 590 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted. See page 3491.)

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.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

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

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

Bill read third time.

Motion to Amend

Assembly Member Strickland 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. 530 to the Committee on Elections, Redistricting and Constitutional Amendments.

SENATE BILL NO. 1064 (Committee on Revenue and Taxation)—An act to amend Sections 17941, 23701h, and 23701x of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—45

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

NOES—30

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

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. 1064 to the Committee on Revenue and Taxation.

SENATE BILL NO. 570 (Chesbro)—An act to amend Section 830.1 of the Penal Code, relating to county employees.

Bill read third time.

Motion to Amend

Assembly Member Wiggins 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. 570 to the Committee on Local Government.

SENATE BILL NO. 534 (Romero)—An act to add Section 6333 to the Labor Code, relating to employment.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and Cox, demanded a roll call.

The roll was called, and the Oropeza amendments adopted by the following vote:

AYES—43

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

NOES—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	Spitzer
Cox	Keene	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	

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. 534 to the Committee on Labor and Employment.

SENATE BILL NO. 1049 (Committee on Budget and Fiscal Review)—An act relating to pesticides.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—46

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

NOES—25

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

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Oropeza to Senate Bill No. 1049: Assembly Member Wolk, from “Aye” to “Not Voting”.

Bill ordered reprinted.

RESOLUTIONS

The following resolution was offered:

Resolution to Dispense With Constitutional Provision

By Assembly Member Oropeza.

Resolved, That Senate Bills Nos. 1049, 1050, and 1053 present cases 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 bills be read on three separate days in each house is hereby dispensed with, and it is ordered that the bills be placed upon their passage.

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	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	Mullin	Steinberg
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

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

Further Consideration of Senate Bill No. 1049, As Amended, by Unanimous Consent

Assembly Member Oropeza was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1049, as amended, without reference to file.

SENATE BILL NO. 1049 (Committee on Budget and Fiscal Review)—An act to amend Sections 1103 and 1103.2 of the Civil Code, to amend Sections 714, 2536, 2540, 3031, 3031.2, 4654, 6596, 6596.1, 7145, 7147, 7149, 7149.05, 7149.2, 7149.8, 7360, 7360.1, 7361, 7363, 7380, 7852, 7881, 7921, 8032, 8033, 8033.2, 8033.5, 8034, 8035, 8036, 13005, 15101, and 15103 of, to amend the heading of Article 4 (commencing with Section 7360) of Chapter 2 of Part 2 of Division 6 of, to add Section 8039 to, and to repeal Sections 7149.1, 7149.15, 7362, 7852.21, 7852.3, and 7921.5 of, the Fish and Game Code, and to amend Sections 11502.5, 11703, 11704, 11707, 11903, 11904, 12021, 12103, 12104, 12105, 12201, 12202, 12252, 12401, 12404, 12818, 12841, 12841.1, and 14152 of, to add Section 12841.2 to, to repeal Sections 11515 and 11516 of, and to repeal and add Section 12812 of, the Food and Agricultural Code, to amend Section 8589.4 of, and to add Section 8589.5 to, the Government Code, to amend Sections 12975.7 and 12975.8 of, and to add and repeal Section 10089.45 of, the Insurance Code, to amend Section 25534 of, to add Section 25806 to, and to add Article 3.5 (commencing with Section 4138) to Chapter 1 of Part 2 of Division 4 of, the Public Resources Code, to amend Sections 1025.5, 1052, 1228.3, 1845, 2850, 5006, 5107, 6307, 6308, 6309, 13160.1, and 79505.5 of, to add Sections 1031, 2865, and 2868 to, to repeal Sections 1228.8 and 6308.5 of, and to repeal and add Chapter 8 (commencing with Section 1525) of Part 2 of Division 2 of, the Water Code, and to amend Section 1 of Chapter 240 of the Statutes of 2003 relating to resources, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—44

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

NOES—33

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1049: Assembly Member Correa, from "Aye" to "No".

Bill ordered transmitted to the Senate.

(NOTE: On September 9, 2003, the action was rescinded whereby Senate Bill No. 1049 was passed, and whereby the bill was ordered transmitted to the Senate. See page 3650.)

SENATE BILL NO. 1050 (Committee on Budget and Fiscal Review)—An act relating to the Department of Water Resources.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Further Consideration of Senate Bill No. 1050, As Amended, by Unanimous Consent

Assembly Member Oropeza was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1050, as amended, without reference to file.

SENATE BILL NO. 1050 (Committee on Budget and Fiscal Review)—An act making an appropriation to amend and supplement the Budget Act of 2003 (Chapter 157 of the Statutes of 2003) for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—66

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

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—66

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1053 (Committee on Budget and Fiscal Review)—An act relating to transportation.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—73

Aghazarian	Dutton	Liu	Plescia
Bates	Dymally	Longville	Reyes
Benoit	Frommer	Lowenthal	Richman
Berg	Garcia	Maddox	Ridley-Thomas
Bermudez	Harman	Maldonado	Runner
Bogh	Horton, Jerome	Matthews	Salinas
Calderon	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Simitian
Canciamilla	Jackson	Mountjoy	Spitzer
Chavez	Keene	Mullin	Steinberg
Chu	Kehoe	Nakanishi	Vargas
Cogdill	Koretz	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	
Dutra	Lieber	Pavley	

NOES—None

Bill ordered reprinted.

**Further Consideration of Senate Bill No. 1053, As Amended,
by Unanimous Consent**

Assembly Member Oropeza was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1053, as amended, without reference to file.

SENATE BILL NO. 1053 (Committee on Budget and Fiscal Review)—An act relating to crime, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—67

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

NOES—None

Bill ordered transmitted to the Senate.

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

Pursuant to Assembly Rule 78, Assembly Member Ridley-Thomas announced his intention to request that Senate Bill No. 298 be removed from the inactive file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 413**

At 2:30 p.m., on motion of Assembly Member Lieber, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 413 passed by the following vote:

AYES—44

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

NOES—33

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

Bill ordered transmitted to the Senate.

ACTION RESCINDED ON SENATE BILL NO. 590

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3483), Senate Bill No. 590 was read a third time, amendments to the bill read and adopted and the bill ordered reprinted.

SPECIAL COMMITTEE MEETINGS

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

Labor and Employment, on Monday, September 8, 2003;
Health, on Monday, September 8, 2003;
Natural Resources, on Monday, September 8, 2003;
Public Safety, on Monday, September 8, 2003;
Transportation on Tuesday, September 9, 2003.

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. 277, 317, and 654 for hearing in the Committee on Water, Parks and Wildlife.

ACTION RESCINDED ON SENATE BILL NO. 620

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on September 2, 2003 (Assembly Journal, page 3324), passed Senate Bill No. 620, and whereby the bill was ordered transmitted to the Senate.

BILL RETURNED TO SENATE

Assembly Member Parra was granted unanimous consent that Assembly Bill No. 1313 be returned to the Senate for further action.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent that the conferees on the Workers' Compensation Conference Committee be permitted to add to roll call votes taken today, as if present.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 356 be removed from the inactive file.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Concurrent Resolution No. 48, on request of Assembly Member Chan.

BILL ORDERED RETURNED TO ENROLLMENT

Assembly Member Leno was granted unanimous consent that Assembly Bill No. 1217 be ordered returned to Enrollment.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend Joint Rule 62(a) to permit the Committee on Labor and Employment to hear Senate Bill No. 868 on Monday, September 8, 2003.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend Joint Rule 62(a) to permit the Committee on Labor and Employment to hear Senate Bill No. 868 on Monday, September 8, 2003.

Assembly Member Goldberg seconded the motion.

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

AYES—44

Berg	Dutra	Lieber	Pavley
Bermudez	Dymally	Liu	Reyes
Calderon	Frommer	Longville	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Matthews	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	Parra	Mr. Speaker

NOES—30

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	Wyland
Cox	Keene	Mountjoy	
Daucher	La Malfa	Nakanishi	

**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. 84 to the Committee on Public Safety.

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 Bill No. 534 for hearing in the Committee on Labor and Employment.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Canciamilla announced that the Committee on Water, Parks and Wildlife would meet today, 15 minutes after adjournment of Floor session, in Room 437.

Assembly Member Salinas announced that the Committee on Local Government would meet today 10 minutes after adjournment of Floor session, in Room 126.

Assembly Member Jerome Horton announced that the Committee on Governmental Organization would meet today upon adjournment of Floor session, in Room 4202.

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

ASSEMBLY BILL NO. 290 (Firebaugh)—An act to amend Sections 45117 and 88017 of the Education Code, relating to education.

Bill presented by Assembly Member Diaz.

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

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

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

AYES—48

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

NOES—27

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

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 613 (Perata)—An act to amend Sections 2194, 14217, 14310, and 14311 of, to add Sections 17, 2124, 2131, and 14402.5 to, and to repeal and add Section 14200 of, the Elections Code, and to amend Section 6254.4 of the Government Code, relating to elections.

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

Bill passed by the following vote:

AYES—76

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

NOES—None

Bill ordered transmitted to the Senate.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1715

Assembly Member Corbett was granted unanimous consent that the Chief Clerk be directed to request the Governor the return Assembly Bill No. 1715; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on August 27, 2003 (Assembly Journal, page 3165); and that the bill be held at the Desk.

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. 786 (Daucher)—An act to add and repeal Chapter 14 (commencing with Section 15800) of Part 3 of Division 9 of the Welfare and Institutions Code, relating to public social services.

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. 1248 (Aghazarian)—An act to add Section 13167.5 to the Water Code, relating to water.

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. 1594 (Committee on Veterans Affairs)—An act to amend Section 50801.5 of the Health and Safety Code, relating to veterans.

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. 1634 (Keene)—An act relating to public lands.

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. 1731 (Committee on Housing and Community Development)—An act to amend Sections 18951, 18952, 18953, 18954, 18955, 18958, 18959, 18960, 18961, and 33333.6 of the Health and Safety Code, relating to buildings and housing.

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.)*

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—76

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

NOES—None

BILLS PASSED ON FILE

Assembly Bills Nos. 1153, 1192, 1749, 773, 343, 577, 1179, 685, 1370, 1306, 1182, 1449, 4; Assembly Constitutional Amendments Nos. 4, 7, 9, 11, and 15; Senate Bills Nos. 1047, 1051, 1052, 1054, 1055, 1056, 1057, 1058, 125, 915, and 274; Senate Joint Resolution No. 6; Senate Bills Nos. 131, 217, 278, 430, 1074, 256, 605, 67, 103, 318, 359, 428, 772, 796, 920, 1004, 328, 591, 9, 331, 604, 17, 259, 261, 268, 269, 322, 360, 411, 418, 439, 566, 623, and 627—Passed on file.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andrew Hale, of Los Angeles.

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 Tim Hoffman, of Monrovia.

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. 24, Concurrence: Diaz, Dymally, Frommer, Garcia, Jerome Horton, Houston, Koretz, Maddox, Nakanishi, Plescia, Ridley-Thomas, and Spitzer—Aye; Aghazarian, Bates, Bogh, Campbell, Dutton, Keene, La Malfa, Leslie, Samuelian, Strickland, and Wyland—No.

Assembly Bill No. 43, Concurrence: Campbell, Dymally, Frommer, Garcia, Jerome Horton, Houston, Keene, La Malfa, Leslie, Maddox, Nakanishi, Plescia, Ridley-Thomas, Samuelian, and Strickland—Aye; Koretz—No.

Assembly Bill No. 76, Concurrence: Maddox—Aye; La Malfa—No.

Assembly Bill No. 248, Concurrence: Garcia, La Malfa, Maddox, McCarthy, Nation, and Runner—Aye.

Assembly Bill No. 560, Concurrence: Daucher, La Malfa, Maddox, and Wyland—Aye; Campbell—No.

Assembly Bill No. 739, Concurrence: La Malfa and Maddox—Aye.

Assembly Bill No. 839, Concurrence: Dutra, La Malfa, La Suer, and Maddox—Aye.

Assembly Bill No. 938, Concurrence: La Malfa and Maddox—No.

Assembly Bill No. 946, Concurrence: Daucher, La Malfa, Maddox, and Parra—No.

Assembly Bill No. 1124, Concurrence: Berg and Maddox—Aye; La Malfa—No.

Assembly Bill No. 1418, Concurrence: Maddox, Strickland, and Wyland—Aye; La Malfa and Nakanishi—No.

Assembly Bill No. 1555, Concurrence: Maddox—Aye; Bates, La Malfa, and Nakanishi—No.

Assembly Bill No. 1625, Concurrence: Maddox—Aye; La Malfa—No.

Assembly Bill No. 1697, Concurrence: Correa and Maddox—Aye; Bates, Cox, Keene, La Malfa, and Strickland—No.

Assembly Bill No. 1201, Concurrence: Chu, Corbett, Correa, La Malfa, Levine, Maddox, Wolk, and Wyland—Aye.

Assembly Bill No. 14, Concurrence: Corbett, Correa, Jerome Horton, and Wolk—Aye; La Malfa, Maddox, Plescia, Spitzer, and Wyland—No.

Assembly Bill No. 115, Concurrence: Correa, Spitzer, Wolk, and Wyland—Aye; La Malfa and Maddox—No.

Assembly Bill No. 369, Concurrence: Dutton, La Malfa, Maddox, Mountjoy, and Nakano—Aye.

Assembly Bill No. 199, Concurrence: Correa, Maddox, and Nakano—Aye; Daucher, Dutton, and La Malfa—No.

Assembly Bill No. 552, Concurrence: Daucher, La Malfa, Maddox, McCarthy, Mountjoy, Nakano, Plescia, Runner, and Wyland—Aye.

Assembly Bill No. 593, Concurrence: Correa and Nakano—Aye; Daucher, Garcia, Houston, La Malfa, Maddox, Mountjoy, Plescia, and Wyland—No.

Assembly Bill No. 642, Concurrence: Nakano—Aye; Daucher, Garcia, La Malfa, Maddox, Mountjoy, Plescia, and Wyland—No.

Assembly Bill No. 847, Concurrence: Daucher, Kehoe, Maddox, Mullin, Nakano, and Wesson—Aye; La Malfa—No.

Assembly Bill No. 866, Concurrence: Corbett, La Malfa, Maddox, Mountjoy, Nakano, Wolk, and Wyland—Aye.

Assembly Bill No. 984, Concurrence: Correa, La Malfa, Maddox, and Nakano—Aye.

Assembly Bill No. 1031, Concurrence: La Malfa, Maddox, and Nakano—Aye.

Assembly Bill No. 1059, Concurrence: Daucher, La Malfa, and Maddox—No.

Assembly Bill No. 1244, Concurrence: La Malfa and Maddox—Aye.

Assembly Bill No. 1350, Concurrence: Correa—Aye; Dutton, La Malfa, and Maddox—No.

Assembly Bill No. 1525, Concurrence: Correa, La Malfa, Maddox, and Nakano—Aye.

Assembly Bill No. 1716, Concurrence: Correa, Daucher, Jackson, Koretz, La Malfa, Maddox, Simitian, and Spitzer—Aye.

Assembly Bill No. 1742, Concurrence: Simitian and Wolk—Aye; Houston, La Malfa, Maddox, Maldonado, Mountjoy, and Wyland—No.

Assembly Bill No. 942, Concurrence: Calderon, Corbett, Haynes, La Malfa, Maddox, Mountjoy, Nakanishi, Simitian, and Wolk—Aye.

Assembly Bill No. 954, Concurrence: Aghazarian, Correa, Houston, Maddox, Maldonado, McCarthy, Nakanishi, and Simitian—Aye; Bates, Campbell, Daucher, Haynes, La Malfa, Mountjoy, and Wyland—No.

Senate Bill No. 300, Frommer Motion to Reconsider: Daucher, Dutton, La Malfa, Maddox, and Mountjoy—No.

Senate Bill No. 300, Frommer Amendments: Simitian—Aye; Bogh, Daucher, Dutton, La Malfa, Maddox, Mountjoy, and Spitzer—No.

Senate Bill No. 489, Strickland Motion to Reconsider: Correa, Houston, La Malfa, Maddox, Maldonado, Mountjoy, and Pacheco—Aye.

Assembly Joint Resolution No. 37: Bermudez, Correa, and Mullin—Aye; Dutton, Houston, La Malfa, Maddox, Mountjoy, Pacheco, Richman, and Strickland—No.

Senate Bill No. 833: Corbett, Correa, Houston, Richman, Simitian, Strickland, and Wolk—Aye; Haynes, La Malfa, Maddox, McCarthy, Plescia, Samuelian, and Wyland—No.

Senate Bill No. 292: Jackson and Strickland—Aye; Correa, Haynes, La Malfa, Maddox, and Samuelian—No.

Senate Bill No. 434: Haynes, La Malfa, Maddox, and Strickland—No.

Senate Bill No. 490: Daucher, Jerome Horton, Shirley Horton, Maldonado, and Richman—Aye; Bates, Bogh, Campbell, Garcia, Haynes, Keene, La Malfa, Maddox, and Strickland—No.

Senate Bill No. 545: Daucher, Jerome Horton, Shirley Horton, and Simitian—Aye; Bates, Garcia, La Malfa, and Maddox—No.

Senate Bill No. 1077: Correa, Daucher, La Malfa, Maddox, and Simitian—Aye.

Senate Bill No. 84, Bermudez Amendments: Correa, Daucher, and Simitian—Aye; Campbell, La Malfa, Maddox, and Maldonado—No.

Senate Bill No. 610: Jerome Horton—Aye; La Malfa, Maddox, and Pacheco—No.

Senate Bill No. 1064, Leno Amendments: La Malfa and Maddox—Aye; Mountjoy and Pacheco—No.

Senate Bill No. 534, Oropeza Amendments: La Malfa, Maddox, and Mountjoy—No.

Senate Bill No. 1049, Oropeza Amendments: Dutton, La Malfa, Maddox, and Spitzer—No.

Senate Bill No. 1049, Resolution to Invoke Constitution: La Malfa, Maddox, and McCarthy—Aye.

Senate Bill No. 1049: Daucher, La Malfa, and Maddox—No.

Senate Bill No. 1050: Maddox, Nakanishi, and Plescia—Aye.

Senate Bill No. 1053, Oropeza Amendments: Bermudez, La Malfa, Maddox, Nakanishi, and Plescia—Aye.

Senate Bill No. 1053: Maddox, Montanez, Plescia, and Wyland—Aye.

Senate Bill No. 413: Bermudez, Calderon, and Simitian—Aye; Correa, La Malfa, and Maddox—No.

Senate Bill No. 868, Chan Motion to Suspend Rules: La Malfa and Maddox—No.

Assembly Bill No. 290, Concurrence: La Malfa and Nakanishi—No.

Senate Bill No. 613: Correa, La Malfa, and Nakanishi—Aye.

Special Consent Calendar: La Malfa—Aye.

MOTION TO ADJOURN

At 2:40 p.m., Assembly Member Levine moved that the Assembly do now adjourn.

Assembly Member Campbell seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Mountjoy 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 Levine that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:45 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 5, 2003

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

Assembly Bill No. 172	Assembly Bill No. 1348
Assembly Bill No. 188	Assembly Bill No. 1382
Assembly Bill No. 284	Assembly Bill No. 1584
Assembly Bill No. 479	Assembly Bill No. 1585
Assembly Bill No. 506	Assembly Bill No. 1705
Assembly Bill No. 767	Assembly Bill No. 1724

And reports the same correctly enrolled, and presented to the Governor on the 5th day of September, 2003, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES**Committee on Local Government**

Date of Hearing: September 5, 2003

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 650

With the recommendation: That Senate amendments be concurred in.

SALINAS, Chair

Above bill ordered to unfinished business file.

Date of Hearing: September 5, 2003

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 348

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: September 5, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 930

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, September 4, 2003

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

Assembly Concurrent Resolution No. 114
 Assembly Concurrent Resolution No. 117
 Assembly Concurrent Resolution No. 124
 Assembly Concurrent Resolution No. 127
 Assembly Concurrent Resolution No. 128
 Assembly Concurrent Resolution No. 130
 Assembly Concurrent Resolution No. 137
 Assembly Joint Resolution No. 48

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

Above resolutions ordered enrolled.

Senate Chamber, September 4, 2003

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

Assembly Bill No. 52	Assembly Bill No. 827
Assembly Bill No. 54	Assembly Bill No. 828
Assembly Bill No. 183	Assembly Bill No. 844
Assembly Bill No. 352	Assembly Bill No. 978
Assembly Bill No. 361	Assembly Bill No. 998
Assembly Bill No. 433	Assembly Bill No. 1108
Assembly Bill No. 446	Assembly Bill No. 1196
Assembly Bill No. 547	Assembly Bill No. 1210
Assembly Bill No. 648	Assembly Bill No. 1219
Assembly Bill No. 682	Assembly Bill No. 1245
Assembly Bill No. 766	Assembly Bill No. 1366
Assembly Bill No. 776	

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, September 4, 2003

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

Assembly Bill No. 184	Assembly Bill No. 999
Assembly Bill No. 512	Assembly Bill No. 1036
Assembly Bill No. 608	Assembly Bill No. 1068
Assembly Bill No. 616	Assembly Bill No. 1572
Assembly Bill No. 898	Assembly Bill No. 1649
Assembly Bill No. 933	Assembly Bill No. 1777
Assembly Bill No. 991	Assembly Bill No. 1783

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.

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. 512, 608, 616, 933, 991, 1036, 1068, 1572, 1649, 1777, and 1783.

ADJOURNMENT

At 7:20 p.m., pursuant to the motion by Assembly Member Levine the Assembly adjourned until 12 noon, Monday, September 8, 2003, out of respect to the memory of Andrew Hale, on motion of Speaker Wesson; and out of respect to the memory of Tim Hoffman, on motion of Assembly Member Mountjoy.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 5, 2003

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

AB	RN
537	0319239
SB	RN
15	0319234
18	0319165
20	0319079
27	0319482
84	0319501
122	0319588
130	0319511
168	0319158
186	0319168
187	0319365
238	0319309
248	0319285
277	0319323
300	0319104
314	0319241
317	0319518
358	0319218
530	0319418
534	0319236
551	0319509
570	0318844
590	0319215 *
599	0319103
602	0319227
654	0319517
810	0319066
857	0319167
1008	0319362
1049	0319524
1050	0319398
1053	0319520
1064	0318701

* Adoption of amendments rescinded.

Daily Total:	32
Cumulative Total:	2801

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, September 8, 2003

**ONE HUNDRED TWENTY-FIFTH SESSION DAY
TWO HUNDRED EIGHTY-FIRST 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 8, 2003

The Assembly met at 12 noon.

Hon. Leland Y. Yee, Assistant 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 Benoit moved a quorum call of the Assembly.

Motion carried. Time, 12:01 p.m.

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

Quorum Present

At 12:18 p.m., Assistant Speaker pro Tempore Yee 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 Assistant Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

O Lord, Compassionate, patient and loving, look upon us and deliver us from every temptation. Help us, and keep us from greater tests that are beyond our power to endure. Lord, God, save us from all adversity and fill us with the renewed life that comes from You; that we may be deemed worthy of eternal life.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, 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.

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

September 8, 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 Assemblymember Mark Leno to fill the vacancy on the Assembly Elections, Redistricting and Constitutional Amendments Committee for today's hearing only.

Sincerely,

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

September 8, 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 the following members to the Select Committee on California Wine:

Assemblymember Greg Aghazarian
Assemblymember Rudy Bermudez
Assemblymember Patty Berg
Assemblymember Russ Bogh
Assemblymember Joe Canciamilla
Assemblymember Ed Chavez
Assemblymember Rebecca Cohn
Assemblymember Ellen Corbett
Assemblymember Marco Firebaugh
Assemblymember Dario Frommer
Assemblymember Hannah-Beth Jackson
Assemblymember John Laird
Assemblymember Tim Leslie
Assemblymember John Longville
Assemblymember Abel Maldonado
Assemblymember Barbara Matthews
Assemblymember Alan Nakanishi
Assemblymember Joe Nation
Assemblymember Nicole Parra
Assemblymember George Plescia
Assemblymember Sarah Reyes
Assemblymember Simon Salinas
Assemblymember Tony Strickland

Sincerely,

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

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

Explanation of Vote—Assembly Bill No. 248

September 8, 2003

Dotson E. Wilson

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

RE: Explanation of vote on AB 248

Dear Chief Clerk Wilson,

Under Assembly Rule 104, I respectfully request that the following vote explanation be printed in the Assembly Journal:

On the date of September 5, 2003, at the conclusion of session, I requested that my vote on file item 34 be changed from a “no” to an “aye.” My intent had actually been to change my vote on file item 35, Assembly Bill No. 248 from a “no” to an “aye.”

Thank you for your attention to this matter.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 8, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 537

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

**AUTHOR'S AMENDMENTS
Committee on Education**

September 8, 2003

Mr. Speaker: The Chair of your Committee on Education reports:
Senate Bill No. 651

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

GOLDBERG, Chair

SENATE BILL NO. 651—An act to amend Sections 52052, 52057, and 52335.2 of the Education Code, relating to education.

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

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

September 8, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 23

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

STEINBERG, Chair

SENATE BILL NO. 23—An act to amend Sections 14528.1, 14549, 14549.1, 14549.5, 14549.6, 14552.5, 14552.51, 14560, 14561, 14573.51, 14575, 14575.1, 14581, and 14585 of, and to add Sections 14513.5, 14575.5, and 14582 to, the Public Resources Code, relating to beverage containers, making an appropriation therefor, 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.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

September 8, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 1064

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

CHAVEZ, Chair

SENATE BILL NO. 1064—An act to amend Sections 6902.2, 19047, 19333, and 19345 of the Revenue and Taxation Code, relating to taxation.

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.

REPORTS OF STANDING COMMITTEES

Committee on Business and Professions

Date of Hearing: September 5, 2003

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

Senate Bill No. 362

With the recommendation: Do pass.

CORREA, Chair

Above bill ordered to second reading.

Committee on Judiciary

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 122

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

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 85

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

NEGRETE McLEOD, Chair

Above bill ordered to unfinished business.

Committee on Water, Parks and Wildlife

Date of Hearing: September 5, 2003

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

Senate Bill No. 277

Senate Bill No. 317

Senate Bill No. 654

With amendments with the recommendation: Amend, and do pass, as amended.

CANCIAMILLA, Chair

Above bills ordered to second reading.

Committee on Labor and Employment

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 534

With amendments with the recommendation: Amend, and do pass, as amended.

KORETZ, Chair

Above bill ordered to second reading.

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Labor and Employment reports:

Senate Bill No. 868

With the recommendation: Do pass.

KORETZ, Chair

Above bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

Veto Message—Assembly Bill No. 627

Governor's Office, Sacramento

September 6, 2003

To the Members of the California Assembly:

I am returning Assembly Bill 627 without my signature.

This bill would require the Resources Agency, until January 1, 2008 to prepare an annual report containing specified information summarizing expenditures on the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002.

Currently, the Resources Agency is required by Chapter 8, Statutes of 2002 to prepare an annual summary of expenditures related to Proposition 40 programs. The Resources Agency has contracted with the Department of Finance Office of Audits and Evaluations to annually audit Proposition 40 expenditures. This audit report will address the mandates of Chapter 8 and will be available on the Internet.

In addition, the Legislature has tasked the Resources Agency to create a public website that will centrally list all projects receiving bond funds. The website will include, information on the section of the bond act for each appropriation and award, the name of the department administering the appropriation, the names of projects and the names of the entities administering the projects, project dollars awarded and a general description of the project and its location. This website will cost \$1.4 million to create and maintain for six years. A search tool will also be available so that individuals accessing the website will be able to query the database, sort grant projects by area, and view a map

indicating the location of each project. The website will also include summary information on bond allocations, amounts appropriated, lead agencies to whom funding has been made available, and fund balances remaining for appropriation.

This measure would require the following additional specific information to be contained in the annual report:

- A list of expenditures for major projects, including administrative costs
- A description of major projects that have been approved
- The amount and location of habitat acquired by bond funds and species targeted for protection, listed by county only.

While this bill reflects the recommendations of the Legislative Analyst's Office, I am concerned that these additional requirements will increase costs without providing necessary additional information.

First, regarding administrative costs, the Resources Agency oversees departments' implementation of dozens of individual grant programs. Expenditures related to each program are very complex. Reporting on administrative costs for individual projects would be very burdensome and costly, and would likely be too complex to be of significant analytical value. Departments typically track and account for administration costs by program and not by project. Thus, the current tracking and accounting systems in place in the 17 departments administering Proposition 40 funds would not capture this information. Additionally, annual project expenditures are not necessarily meaningful indicators of program activities, which is why the website will be reporting all awards of funding.

From a fiscal standpoint, these additional requirements would add substantial new costs in the departments to develop and implement new tracking systems, thereby diverting funds from funding projects. As the website will provide information on all projects awarded funds and the user will have the ability to query the database, there is no benefit to imposing additional annual reporting requirements on the Secretary of the Resources Agency.

I commend the author and the Legislature for their interest in and support of enhanced public information on Proposition 40. I will be monitoring the progress of the Resources Agency as they continue to implement existing reporting requirements to ensure that the public has information that is meaningful and easily accessible.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 8th day of September 2003 at 3:50 p.m., of Assembly Bill No. 627, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
September 8, 2003

To the Members of the California State Legislature:

I am signing Assembly Bill 852, which establishes a mechanism for the determination of prevailing wage rates on non-public works projects in which a public and private entity voluntarily agree by contract that the employees will receive a prevailing wage.

In signing this measure, I am directing the Department of Industrial Relations to implement the provisions of this bill within existing staff resources.

Sincerely,

GRAY DAVIS

MESSAGES FROM THE SENATE

September 8, 2003

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

Dear Dotson: The Senate this day rescinded the action whereby it refused to concur in Assembly amendments to Senate Bill 53. The Senate then ordered the bill returned to the Assembly.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

September 8, 2003

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

Dear Dotson: By direction of the Senate I am returning Senate Bill 294 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

CAUCUS ANNOUNCEMENTS

At 12:22 p.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 12:22 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 1:07 p.m., the Assembly reconvened.
Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 411, on request of Assembly Member Chan.

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

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 458 be removed from the inactive file.

**ASSEMBLY BILL NO. 933 REMOVED FROM SPECIAL CONSENT CALENDAR
AND RETURNED TO THE SENATE**

Assembly Member Reyes was granted unanimous consent that Assembly Bill No. 933 be removed from the Special Consent Calendar and returned to the Senate for further action.

BILLS REMOVED FROM CONSENT CALENDAR

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

Assembly Concurrent Resolution No. 138, on request of Assembly Member Nakano.

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 Bill No. 570 for hearing in the Committee on Local Government on Tuesday, September 9, 2003, prior to Floor session.

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. 1068 and **1572**, on request of Assembly Member Plescia.

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes withheld unanimous consent on the following:

ALL motions to "Pass and Retain" on every single bill which is taken up by the Assembly today, such that the failure of either an author or Floor author to take up a bill which appears on today's Assembly Third Reading File will in fact constitute a "Pass On File;"

ALL motions to "Pass Temporarily" on every single bill which comes before the Assembly today, such that while throughout the course of the day's proceedings the Presiding Officer may return to a measure for purposes of taking that measure up for a vote, upon adjournment of today's session the failure of either an author or Floor author to take up a bill which appears on today's Assembly Third Reading File will in fact constitute a "Pass On File."

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 20, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 644—An act to amend Sections 71000 and 71003 of the Education Code, relating to community colleges.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 838—An act to add Section 1104.3 to the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 348—An act relating to trial costs.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

SENATE BILL NO. 930—An act to add Section 12012.30 to the Government Code, relating to gaming.

Bill read second time, and ordered to third reading.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 838, on request of Assembly Member Runner.

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

SENATE BILL NO. 1047 (Committee on Budget and Fiscal Review)—An act relating to the Department of Fish and Game.

Bill read third time.

Motion to Amend

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

**Further Consideration of Senate Bill No. 1047, As Amended,
by Unanimous Consent**

Assembly Member Oropeza was granted unanimous consent to take up Senate Bill No. 1047 as amended, without reference to file, for purpose of consideration.

SENATE BILL NO. 1047 (Committee on Budget and Fiscal Review)—An act to amend Section 41204.1 of the Education Code, and to add Section 97.45 to the Revenue and Taxation Code, relating to local government finance.

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

Bill passed by the following vote:

AYES—69

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 915 (Perata)—An act to amend Sections 66540.14, 66540.16, 66540.20, 66540.40, and 66540.72 of, to add Sections 66540.21 and 66540.29 to, and to repeal Sections 66540.22 and 66540.23 of, the Government Code, relating to transportation.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

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

SENATE BILL NO. 1058 (Committee on Budget and Fiscal Review)—An act to amend Section 95 of the Revenue and Taxation Code, relating to local government finance.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

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

SENATE BILL NO. 551 (Speier)—An act to add Section 758.5 to the Insurance Code, relating to auto insurance.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 226 (Cedillo)—An act to amend Sections 527.6 and 527.8 of, and to add Section 527.9 to, the Code of Civil Procedure, to amend Section 6389 of the Family Code, to amend Sections 136.2, 273.6, and 12021 of the Penal Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to firearms.

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

Bill passed 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

Bill ordered transmitted to the Senate.

DEBATE LIMITED

Assistant Speaker pro Tempore Yee announced that by leadership agreement, debate on measures on today's file would be limited to 3 minutes.

BILLS REMOVED FROM CONSENT CALENDAR

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

Senate Concurrent Resolution No. 6, on request of Assembly Member Garcia.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend the Rules to permit consideration of Senate Bill No. 403 without reference to file, if proposed amendments are adopted.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend the Rules to permit consideration of Senate Bill No. 403, without reference to file, if proposed amendments are adopted.

Assembly Member Vargas seconded the motion.

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

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	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	Leslie	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—31

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

**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, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—73

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

NOES—5

Haynes	La Malfa	Spitzer
Keene	Mountjoy	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 605 (McPherson)—An act to add Section 8592.6 to the Government Code, relating to public safety.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 605. See page 3533.)

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

SENATE BILL NO. 67 (Bowen)—An act to amend Section 399.14 of, and to add Section 399.16 to, the Public Utilities Code, relating to energy.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Strickland, Benoit, and Cogdill, demanded a roll call.

The roll was called, and Reyes amendments adopted by the following vote:

AYES—48

Benoit	Dutra	Lieber	Parra
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

NOES—28

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

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

SENATE BILL NO. 157 (Bowen)—An act to add Chapter 1.5 (commencing with Section 6025) to Part 1 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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

Bill passed by the following vote:

AYES—50

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	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	
Dymally	Liu	Pavley	

NOES—29

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

Bill ordered transmitted to the Senate.

At 1:41 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

SENATE BILL NO. 359 (Figueroa)—An act to amend Section 810 of the Business and Professions Code, relating to professions and vocations.

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. 428 (Perata)—An act to amend Sections 1575.5 and 100445 of, and to repeal and add Section 1575.9 of, the Health and Safety Code, and to amend Sections 14526, 14552, 14573, 14574, and 14574.1 of, and to add Sections 14552.1, 14552.2, and 14572.1 to, the Welfare and Institutions Code, relating to adult day health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Daucher moved the adoption of amendments.

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

SENATE BILL NO. 469 (Scott)—An act to amend Section 60242 of the Education Code, relating to instructional materials.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 916 (Perata)—An act to amend Section 14531 of the Government Code, to amend Sections 182.5, 188.3, 188.4, 188.10, 30101, 30101.8, 30113, 30600, 30601, 30604, 30606, 30750, 30751, 30760, 30761, 30791, 30884, 30885, 30887, 30889.3, 30891, 30894, 30910, 30912, 30913, 30915, 30916, 30918, 30919, 30920, 30950, 30950.1, 30950.2, 30950.3, 30950.4, 30953, 30958, 30960, 30961, 31000, 31010, and 31071 of, to amend and renumber Section 188.10 of, to add Sections 188.53 30881, 30910.5, 30914.5, and 30922 to, and to repeal Sections 30603, 30605, 30608.2, 30752, 30753, 30754, 30755, 30756, 30757, 30762, 30762.5 30763, 30764, 30764.5, 30765, 30766, 30767, 30791.7, 30792, 30792.2, 30793, 30794, 30795, 30886, 30888, 30889, 30896, and 30956 of, to repeal Article 5 (commencing with Section 30200) and Article 7 (commencing with Section 30350) of Chapter 1 of Division 17 of, to repeal and add Sections 30102.5, 30890, 30911, 30914, 30917, 30921, and 30951 of, the Streets and Highways Code, and to amend Section 5205.5 of the Vehicle Code, and to amend Section 5 of Chapter 898 of the Statutes of 1997 relating to transportation, and making an appropriation therefor.

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

Bill passed by the following vote:

AYES—41

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

NOES—33

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

Bill ordered transmitted to the Senate.

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

SENATE BILL NO. 9 (McClintock)—An act to add and repeal Chapter 8.2 (commencing with Section 11820) of Part 1 of Division 3 of Title 2 of the Government Code, relating to government reorganization, and making an appropriation therefor.

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

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, 2:15 p.m.

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

SENATE BILL NO. 186 (Murray)—An act to amend Section 17538.45 of, to add Article 1.8 (commencing with Section 17529) to Chapter 1 of Part 3 of Division 7 of, and to repeal Section 17538.4 of, the Business and Professions Code, relating to privacy.

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

Bill passed by the following vote:

AYES—71

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

NOES—7

Campbell	Haynes	La Suer	Samuelian
Cogdill	La Malfa	Mountjoy	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 331 (Romero)—An act to add Section 340.8 to the Code of Civil Procedure, relating to toxic injuries.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Benoit, Cogdill, and Cox, demanded a roll call.

The roll was called, and Frommer amendments adopted by the following vote:

AYES—41

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

NOES—31

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

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

SENATE BILL NO. 973 (Machado)—An act to amend Section 12102 of the Public Contract Code, relating to public contracts.

Bill read third time.

Motion to Amend

Assembly Member Ridley-Thomas moved the adoption of amendments:

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

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 973 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted and returned to the third reading file. See page 3550.)

SENATE BILL NO. 937 (Ducheny)—An act to amend Sections 1212, 1217, 1228, and 1231 of, and to add Sections 1218.1, 1218.2, 1226.1, 1226.2, 1226.3, and 1229.1 to, the Health and Safety Code, relating to clinics.

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

Bill passed by the following vote:

AYES—62

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

NOES—16

Benoit	Cox	La Malfa	Runner
Bogh	Dutton	La Suer	Samuelian
Campbell	Haynes	Leslie	Strickland
Cogdill	Keene	Mountjoy	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 259 (Romero)—An act to amend Section 44018 of, and to add Section 87018 to, the Education Code, relating to school employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Dutton moved the adoption of amendments.

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

SENATE BILL NO. 261 (Speier)—An act to amend Section 1375.4 of, and to add Sections 1375.9, 1375.10, 1375.11, and 1375.12 to, the Health and Safety Code, relating to health care service plans.

Bill read third time.

Motion to Amend

Assembly Member Cohn moved the adoption of amendments.

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

SENATE BILL NO. 360 (Figueroa)—An act to amend Sections 125.9, 7303.1, 7309, 7313, 7317, 7319.5, 7321, 7321.5, 7324, 7326, 7330, 7332, 7333, 7334, 7335, 7336, 7337, 7337.5, 7338, 7340, 7341, 7342, 7344, 7353, 7354, 7355, 7356, 7357, 7359, 7362, 7362.1, 7362.2, 7362.3, 7364, 7365, 7366, 7367, 7389, 7395.1, 7396, 7400, 7401, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7414.1, 7414.3, 7414.4, 7414.6, 7415, 7421, and 7422 of, to amend and repeal Sections 7390, 7391, 7392, 7393, 7394, and 7395 of, to add Sections 7303.2, and 7403.5 to, to repeal Sections 7331.5, 7340.5, 7416, and 7423.5 of, and to repeal and add Sections 7331 and 7423 to, the Business and Professions Code, relating to business and professions.

Bill read third time.

Motion to Amend

Assembly Member Chan moved the adoption of amendments.

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

SENATE BILL NO. 418 (Sher)—An act to repeal and add Chapter 6 (commencing with Section 1600) of Division 2 of the Fish and Game Code, relating to fish and wildlife, and making an appropriation therefor.

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

Motion to Re-refer Senate Bill No. 418 to Committee

Assembly Member Benoit moved that Senate Bill No. 418 be re-referred to the Committee on Water, Parks and Wildlife.

Assembly Member Bogh seconded the motion.

Motion lost by the following vote:

AYES—31

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

NOES—48

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

The question being on the passage of the bill.

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 627 (Committee on Public Employment and Retirement)—

An act to amend Sections 22109.5, 22138.5, 22146, 22203.5, 22213, 22503, 22663, 22713, 22714, 22801, 22801.5, 22820, 22823, 22826, 22905, 23203, 23300, 24002, 24012, 24111, 24214, 24216.6, 24221, 24300, 24606, 24615, 24616, 24617, 24975, 25000.9, 25018.5, 25100, 25101, and 25940 of the Education Code, relating to state teachers' retirement.

Bill read third time.

Motion to Amend

Assembly Member Mullin moved the adoption of amendments.

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

SENATE BILL NO. 771 (Ortiz)—An act to amend and renumber Sections 125115, 125116, and 125117 of, to add Section 125305 to, to add the headings of Part 5.5 (commencing with Section 125300) and Chapter 1 (commencing with Section 125300) to Division 106 of, and to repeal the heading of Article 5 (commencing with Section 125115) of Chapter 1 of Part 5 of Division 106 of, the Health and Safety Code, relating to human tissue.

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

Bill passed by the following vote:

AYES—50

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

NOES—29

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

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 620 BY UNANIMOUS CONSENT

Assembly Member Vargas was granted unanimous consent to take up Senate Bill No. 620 out of order, for purpose of amendment.

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.

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

SENATE BILL NO. 821 (Alarcon)—An act to add Chapter 5.5 (commencing with Section 66350) to Part 40 of the Education Code, relating to business ethics.

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

Bill passed by the following vote:

AYES—53

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

NOES—26

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

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 821: Assembly Member Shirley Horton, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 892 (Murray)—An act to add Section 35292.5 to the Education Code, relating to schools.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

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

SENATE BILL NO. 970 (Ortiz)—An act to add Sections 11077.1 and 11077.2 to, and to amend Section 11077 of, the Penal Code, relating to criminal offender record information.

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

Bill passed 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

Bill ordered transmitted to the Senate.

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

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 5 (Karnette)—An act to add Section 60605.3 to the Education Code, relating to curriculum.

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

Bill passed by the following vote:

AYES—78

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 15 (Alpert)—An act to amend Sections 17073.15, 17073.20, 17074.10, 17077.40, 17077.42, 17077.45, 17078.52, 17078.53, 17078.54, 17078.56, 17078.57, 17078.58, 17078.62, and 17078.64 of, to add Section 17078.66 to, and to repeal Section 17078.50 of, the Education Code, and to amend Section 65352.2 of the Government Code, relating to education facilities.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 41 (Bowen)—An act to amend Sections 10430, 10515, 10518, and 10526 of, to add Article 2.5 (commencing with Section 10510.4) to Chapter 2.1 of, and to add Article 7.8 (commencing with Section 10830) to Chapter 2.5 of, Part 2 of Division 2 of, the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

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. 168 (Committee on Energy, Utilities and Communications)—An act to amend Sections 25401.2, 25523, 25525, and 25620.5 of, and to amend and renumber Section 25620.10 of, the Public Resources Code, to amend Sections 279, 383.5, and 445 of, and to repeal Division 4.7 (commencing with Section 9201) of, the Public Utilities Code, and to amend Section 2 of Chapter 850 of the Statutes of 2002, relating to energy and telecommunications.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 244 (Speier)—An act to repeal and add Sections 1373.65, 1373.95, and 1373.96 of the Health and Safety Code, and to amend Section 10133.56 of the Insurance Code, relating to health care coverage.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 248 (Murray)—An act to amend Sections 415, 426, 3001, 3003, 3051, and 3066 of, to add Section 3069.1 to, and to add Article 5 (commencing with Section 3070) to Chapter 6 of Division 2 of, the Vehicle Code, relating to vehicles.

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

Bill passed by the following vote:

AYES—76

Aghazarian	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Benoit	Garcia	Longville	Plescia
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Campbell	Horton, Jerome	Matthews	Runner
Canciamilla	Horton, Shirley	Maze	Salinas
Chan	Houston	McCarthy	Samuelian
Chavez	Jackson	Montanez	Simitian
Chu	Keene	Mountjoy	Spitzer
Cohn	Kehoe	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	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

NOES—2

Bogh Haynes

Bill ordered transmitted to the Senate.

SENATE BILL NO. 314 (Murray)—An act to add Section 130350.5 to the Public Utilities Code, relating to transportation.

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

Call of the Assembly

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

Motion carried. Time, 3:02 p.m.

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

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Elections, Redistricting and Constitutional Amendments be permitted to hold a special meeting today, during Floor session.

**RECORD EXPUNGED AND ACTION RESCINDED ON
SENATE BILL NO. 605**

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 Senate Bill No. 605, and that the bill be passed on file, to retain its place on file.

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

SENATE BILL NO. 358 (Figueroa)—An act to amend Sections 2701, 2702, 2703, 2708, 2725, 2815, 2815.1, 2841, 2847, 2878, 2893, 2895, 4501, 4503, and 4521 of, and to add Sections 2725.5, 2878.1, 2895.5, and 4521.2 to, the Business and Professions Code, and to add Article 4 (commencing with Section 128475) to Chapter 5 of Part 3 of Division 107 of the Health and Safety Code, relating to healing arts.

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

Bill passed by the following vote:

AYES—68

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

NOES—10

Bogh	Haynes	Maddox	Strickland
Campbell	La Malfa	Mountjoy	
Cox	La Suer	Samuelian	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 358: Assembly Member Samuelian, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 549 (Vasconcellos)—An act to add Chapter 9.7 (commencing with Section 6267) to Title 7 of Part 3 of the Penal Code, relating to inmates.

**At 3:05 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

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

Bill passed by the following vote:

AYES—58

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

NOES—21

Aghazarian	Houston	Maldonado	Spitzer
Bates	Keene	McCarthy	Strickland
Benoit	La Malfa	Mountjoy	Wyland
Campbell	La Suer	Plescia	
Cox	Leslie	Runner	
Haynes	Maddox	Samuelian	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 549: Assembly Member Maldonado, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 582 (Speier)—An act to add Article 4.5 (commencing with Section 110423.100) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to public health.

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

The roll was opened.

Call of the Assembly

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

Motion carried. Time, 3:21 p.m.

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

SENATE BILL NO. 611 (Ducheny)—An act to amend Section 99200 of the Education Code, relating to instructional strategies.

Bill read third time.

Motion to Amend

Assembly Member Simitian moved the adoption of amendments.

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

SENATE BILL NO. 649 (Kuehl)—An act to add Section 20676 to the Public Contract Code, and to amend Sections 2207, 2717, and 2774 of the Public Resources Code, relating to mining.

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

Bill passed by the following vote:

AYES—44

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

NOES—34

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 719 (Kuehl)—An act to amend Sections 32261, 32262, 35183, 35294.10, 35294.11, 35294.12, 35294.13, 35294.21, 35294.22, 51263, and 51264 of, to amend and renumber Sections 32280, 32290, 32295, 35294, 35294.1, 35294.2, 35294.3, 35294.4, 35294.5, 35294.6, 35294.7, and 35294.8 of, to amend and renumber the headings of Article 3 (commencing with Section 32280) of, Article 4 (commencing with Section 32290) of, and Article 5 (commencing with Section 32295) of Chapter 2.5 of Part 19 of, and Article 10.3 (commencing with Section 35294) of Chapter 2 of Part 21 of, to add Article 5.3 (commencing with Section 32290) to Chapter 2.5 of Part 19 of, to repeal Section 35294.9 of, and to repeal Article 2 (commencing with Section 32270) of Chapter 2.5 of Part 19 of, the Education Code, relating to school safety.

Bill read third time.

Motion to Amend

Assembly Member Chu moved the adoption of amendments.

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

SENATE BILL NO. 748 (McPherson)—An act to add and repeal Chapter 11 (commencing with Section 1500) of Division 6 of the Military and Veterans Code, relating to veterans.

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

Bill passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 808 (Karnette)—An act to amend Sections 473, 473.1, and 473.2 of, to add Chapter 2 (commencing with Section 474) to Division 1.2 of, and to add a chapter heading to Division 1.2 of, the Business and Professions Code, and to amend Section 9148.8 of, to add Article 8.5 (commencing with Section 9148.50) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 9148.10 of, the Government Code, relating to boards and commission.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal 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 Assistant Speaker pro Tempore re-referred Senate Bill No. 808 to the Committees on Revenue and Taxation and Appropriations.

SENATE BILL NO. 923 (Sher)—An act to amend Sections 13261, 13265, and 13269 of the Water Code, relating to water.

Bill read third time.

Motion to Amend

Assembly Member Pavley moved the adoption of amendments.

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

SENATE BILL NO. 1061 (Committee on Revenue and Taxation)—An act to amend Sections 2205 and 5008.6 of the Corporations Code, to amend Section 7073.8 of the Government Code, and to amend Sections 17941, 23041, 23701h, 23701x, and 25111 of, and to add Sections 18405.1, 25113, and 25116 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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

Bill passed by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	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	
Dutton	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 377 (Chesbro)—An act to add Section 124586 to the Health and Safety Code, relating to health.

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

Bill passed by the following vote:

AYES—75

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
Canciamilla	Horton, Jerome	Mathews	Salinas
Chan	Horton, Shirley	Maze	Simitian
Chavez	Houston	McCarthy	Spitzer
Chu	Jackson	Montanez	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—1

Mountjoy

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 377: Assembly Member Mountjoy, from “Aye” to “No”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 730 (Burton)—An act to amend Sections 1773 and 1773.5 of the Labor Code, relating to prevailing wages.

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

Bill passed by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Mathews	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	
Dutton	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

(NOTE: On August 9, 2004, the action was rescinded whereby Senate Bill No. 730 was passed, and whereby the bill was ordered transmitted to the Senate. See page 6950.)

SENATE BILL NO. 256 (Escutia)—An act to amend Section 76100 of, and to add and repeal Section 70404 of, the Government Code, relating to court facilities.

Bill read third time.

Motion to Amend

Assembly Member Kehoe 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 Assistant Speaker pro Tempore re-referred Senate Bill No. 256 to the Committee on Judiciary.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 256 was re-referred to the Committee on Judiciary pursuant to Assembly Rule 77.2. See page 3575.)

SENATE BILL NO. 494 (Escutia)—An act to amend Section 3283 of the Civil Code, relating to arbitration.

Bill read third time.

Motion to Amend

Assembly Member Kehoe moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Benoit, Cogdill, and Pacheco, demanded a roll call.

The roll was called, and the Kehoe amendments adopted by the following vote:

AYES—46

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

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered reprinted.

Re-reference of Bills to Committee Pursuant to Assembly Rule 77.2

Pursuant to Assembly Rule 77.2, the Assistant Speaker pro Tempore re-referred Senate Bill No. 494 to the Committees on Health and Judiciary.

At 3:39 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

SENATE BILL NO. 19 (Escutia)—An act to amend Section 42239.1 of, to add Sections 37252.5 and 37252.6 to, and to repeal Section 37252.8 of, the Education Code, relating to public schools.

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

Bill passed by the following vote:

AYES—55

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

NOES—24

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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 25 (Bowen)—An act to amend Sections 1785.11.1, 1785.11.6, 1786.60, and 1798.85 of the Civil Code, relating to personal information.

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. 81 (Alpert)—An act to amend Section 44259.1 of the Education Code, relating to teacher training.

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

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 364 (Figueroa)—An act to amend Sections 144, 473.3, 2001, 2020, 2099.5, 2153.5, 2220.1, 2531, 3010.1, , 3014.6, 6732, 6732.3, 6732.4, and 7153.1 of the Business and Professions Code, to amend Section 94990 of, and to add Sections 94779.1, 94779.3, and 94779.4 to, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

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

Urgency Clause

Urgency clause read.

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, 3:45 p.m.

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

SENATE BILL NO. 3 (Burton)—An act to add Section 1376 to the Penal Code, relating to the death penalty.

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

Bill passed by the following vote:

AYES—67

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

NOES—10

Bogh	Haynes	Maddox	Wyland
Campbell	La Malfa	Mountjoy	
Correa	La Suer	Spitzer	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 314**

At 3:47 p.m., on motion of Assembly Member Pavley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 314 passed by the following vote:

AYES—46

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

NOES—28

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

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 364**

At 3:50 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.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 364. See page 3551.)

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

SENATE BILL NO. 602 (Figueroa)—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

Bill read third time, and presented by Assembly Member Montanez.

Bill passed by the following vote:

AYES—51

Aghazarian	Dymally	Liu	Parra
Berg	Frommer	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maddox	Ridley-Thomas
Canciamilla	Horton; Jerome	Maldonado	Salinas
Chan	Horton; Shirley	Matthews	Simitian
Chavez	Jackson	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	Laird	Nation	Wolk
Correa	Leno	Negrete McLeod	Yee
Diaz	Levine	Nunez	Mr. Speaker
Dutra	Lieber	Oropeza	

NOES—28

Bates	Dutton	La Suer	Plescia
Benoit	Garcia	Leslie	Riehman
Bogh	Harman	Maze	Runner
Campbell	Haynes	McCarthy	Samuelian
Cogdill	Houston	Mountjoy	Spitzer
Cox	Keene	Nakanishi	Strickland
Daucher	La Malfa	Pacheco	Wyland

Bill ordered transmitted to the Senate.

(NOTE: On September 10, 2003, the action was rescinded whereby Senate Bill No. 602 was passed, and whereby the bill was ordered transmitted to the Senate. See page 3701.)

SENATE BILL NO. 640 (Burton)—An act to add Chapter 1.5 (commencing with Section 10286) to Part 2 of Division 2 of the Public Contract Code, and to amend Section 25111 of, and to add Section 25113 to, the Revenue and Taxation Code, relating to state contracts.

Bill read third time, and presented by Assembly Member Steinberg.

Bill passed by the following vote:

AYES—48

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maldonado	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—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maddox	Samuelian
Benoit	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Campbell	Horton, Shirley	Nakanishi	Wyland
Cogdill	Houston	Pacheco	
Cox	Keene	Plescia	
Daucher	La Malfa	Richman	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1008 (Machado)—An act to amend Sections 999.2, 999.5, 999.7, and 999.9 of the Military and Veterans Code, and to add Section 10115.9 to the Public Contract Code, relating to veterans.

Bill read third time, and presented by Assembly Member Matthews.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 590 (Speier)—An act to add Section 1798.80.5 to the Civil Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

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. 24 (Figueroa)—An act to add Section 124034 to the Health and Safety Code, and to add Sections 14148.03, 14148.04, and 14148.05 to the Welfare and Institutions Code, relating to health care.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 56 (Hollingsworth)—An act to add Sections 12749.93, 12749.94, and 12749.95 to the Water Code, relating to water development projects.

Bill read third time, and presented by Assembly Member Haynes.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 87 (Hollingsworth)—An act to amend Section 379 of the Streets and Highways Code, relating to highways.

Bill read third time, and presented by Assembly Member Benoit.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton; Jerome	McCarthy	Simitian
Chan	Horton; Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Nation	Wolk
Correa	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Diaz	Leslie	Pacheco	
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

(NOTE: On February 26, 2004, the action was rescinded whereby Senate Bill No. 87 was passed, and whereby the bill was ordered transmitted to the Senate. See page 4686.)

SENATE BILL NO. 262 (Kuehl)—An act to amend Section 4458 of, and to add Sections 4459.5, 4459.6, 4459.7, and 4459.8 to, the Government Code, and to amend Sections 19954 and 19958.5 of, and to add Section 19958.6 to, the Health and Safety Code, relating to building standards, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Dutra moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 680 (McPherson)—An act relating to student financial aid.

Bill read third time, and presented by Assembly Member Liu.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 964 (Burton)—An act to add Sections 60852.5 and 60852.6 to the Education Code, relating to the high school exit examination.

Bill read third time, and presented by Assembly Member Pavley.

Bill passed by the following vote:

AYES—59

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Plescia
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Matthews	Richman
Chan	Harman	Maze	Ridley-Thomas
Chavez	Horton, Jerome	Montanez	Salinas
Chu	Horton, Shirley	Mullin	Simitian
Cohn	Houston	Nakanishi	Spitzer
Corbett	Jackson	Nakano	Steinberg
Cox	Kehoe	Nation	Vargas
Daucher	Koretz	Negrete McLeod	Wiggins
Diaz	Laird	Nunez	Wolk
Dutra	Leno	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker
Dymally	Lieber	Parra	

NOES—18

Aghazarian	Correa	Leslie	Runner
Bates	Haynes	Maddox	Samuelian
Benoit	Keene	Maldonado	Strickland
Campbell	La Malfa	McCarthy	
Cogdill	La Suer	Mountjoy	

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:09 p.m., by unanimous consent, the members of the Committee on Elections, Redistricting and Constitutional Amendments 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.

SENATE BILL NO. 288 (Sher)—An act to add Chapter 4.5 (commencing with Section 42500) to Part 4 of Division 26 of, the Health and Safety Code, and to amend Section 9250.11 of the Vehicle Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 902 (Chesbro)—An act to add Section 15867 to the Government Code, relating to state property.

Bill read third time.

Motion to Amend

Assembly Member Pavley moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 83 (Soto)—An act to amend Sections 53750 and 54984.7 of the Government Code, relating to local agency assessments.

Bill read third time, and presented by Assembly Member Chavez.

Bill passed by the following vote:

AYES—45

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Cohn	Laird	Negrete McLeod	Yee
Corbett	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—32

Aghazarian	Dutton	La Suer	Parra
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 83: Assembly Member Parra, from "Aye" to "No".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 842 (Karnette)—An act to add Section 60061.8 to the Education Code, relating to instructional materials.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 27 (Figueroa)—An act to amend Section 1798.84 of, and to repeal and add Section 1798.83 to, the Civil Code, relating to personal information.

Bill read third time, and presented by Assembly Member Wiggins.

Bill passed by the following vote:

AYES—75

Aghazarian	Dutra	Lieber	Pavley
Bates	Dutton	Liu	Plescia
Benoit	Dymally	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Calderon	Hancock	Matthews	Salinas
Campbell	Harman	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mullin	Steinberg
Chu	Jackson	Nakanishi	Strickland
Cogdill	Keene	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	La Malfa	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Levine	Parra	

NOES—2

Haynes	Leslie
--------	--------

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 27: Assembly Member Nakanishi, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 48 (Hollingsworth)—Relative to Myositis Awareness Day.

Resolution read.

Motion to Amend

Assembly Member Lieber moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

BILL RETURNED TO ENROLLMENT

Assembly Member Corbett was granted unanimous consent that Assembly Bill No. 1715 be returned to Enrollment.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Vargas was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1216

September 5, 2003

*Mr. Dotson Wilson
Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: AB 1216, as amended on July 1, 2003, will have a positive economic impact by reducing fire suppression costs to state and local government and will limit damages to lives and property, thereby reducing post-fire recovery costs and insurance claims. Building standards proposed under the authority of this statute will combine prescriptive and performance-based approaches to evaluate the fire safety of building components, thereby promoting innovation and competition in material manufacturing and building design. In an effort to maintain housing affordability, I believe the State Fire Marshal will propose to use materials with the least cost when different approaches yield the same fire safety benefits. It is my understanding that many of the building standards will focus on details of construction, which should have a minimal fiscal impact. It is my intent that building standards applicable in “urban wildland interface communities,” as defined, will be implemented without any action by local jurisdictions that is not already mandated pursuant to other statutes, unless that jurisdiction decides to modify the areas of applicability in the manner established by this legislation. Fire safe construction, provided by in part AB 1216, is the next logical step in protecting communities’ urban-wildland interface from wildfire.

Sincerely,

JUAN VARGAS, Assembly Member
Seventy-ninth District

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 318, on request of Assembly Member Chan.

ACTION RESCINDED ON SENATE BILL NO. 973

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3523), Senate Bill No. 973, was read a third time, amendments to the bill read and adopted and the bill ordered reprinted and to be returned to the third reading file.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bills Nos. 118 and 197 be removed from the inactive file.

RECORD EXPUNGED AND ACTION RESCINDED ON SENATE BILL NO. 364

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 Senate Bill No. 364, and that the bill be passed on file, to retain its placed on file.

ACTION RESCINDED IN SENATE BILL NO. 476

Assembly Member Reyes was granted unanimous consent to rescind the action whereby the Assembly, on August 21, 2003 (Assembly Journal, page 3089), passed Senate Bill No. 476, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 476 by Unanimous Consent

Assembly Member Reyes was granted unanimous consent to take up Senate Bill No. 476 without reference to file, for purpose of amendment.

SENATE BILL NO. 476 (Florez)—An act to amend Sections 1797.98a, 1797.98b, 1797.98c, and 1797.98e of the Health and Safety Code, relating to health.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

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. 902 to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 773 (Strickland)—An act to amend Sections 130054.1 and 130054.8 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.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Strickland moved a call of the Assembly.

Motion carried. Time, 4:29 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 1449 (Firebaugh)—An act to amend Section 5443 of the Business and Professions Code, relating to outdoor advertising.

Bill presented by Assembly Member Bermudez.

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	Oropeza
Bates	Dutton	Lieber	Pacheco
Benoit	Dymally	Liu	Parra
Berg	Frommer	Longville	Plescia
Bermudez	Garcia	Lowenthal	Reyes
Bogh	Harman	Maddox	Richman
Calderon	Haynes	Maldonado	Ridley-Thomas
Campbell	Horton, Jerome	Matthews	Runner
Canciamilla	Horton, Shirley	Maze	Salinas
Chan	Houston	McCarthy	Samuelian
Chavez	Keene	Montanez	Spitzer
Cogdill	Kehoe	Mountjoy	Steinberg
Cohn	Koretz	Mullin	Strickland
Corbett	La Malfa	Nakanishi	Vargas
Correa	La Suer	Nakano	Wolk
Cox	Laird	Nation	Wyland
Daucher	Leno	Negrete McLeod	Yee
Diaz	Leslie	Nunez	Mr. Speaker

NOES—3

Goldberg	Hancock	Pavley
----------	---------	--------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1449: Assembly Member Hancock, from “Aye” to “No”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 663 (Lieber)—An act to add Section 2281 to the Business and Professions Code, relating to the healing arts.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 650 (Plescia)—An act to amend Section 5784.1 of the Public Resources Code, and to amend Section 13 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to local government.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 52 (Simitian)—An act to amend Section 42239 of, and to repeal Section 37252.2 of, the Education Code, relating to pupil instruction.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—59

Benoit	Dutton	Liu	Pavley
Berg	Dymally	Longville	Plescia
Bermudez	Frommer	Lowenthal	Reyes
Bogh	Garcia	Maldonado	Richman
Calderon	Goldberg	Matthews	Ridley-Thomas
Canciamilla	Hancock	McCarthy	Salinas
Chan	Harman	Montanez	Samuelian
Chavez	Horton, Jerome	Mullin	Simitian
Chu	Horton, Shirley	Nakanishi	Steinberg
Cohn	Jackson	Nakano	Vargas
Corbett	Kehoe	Nation	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	

NOES—19

Aghazarian	Haynes	Leslie	Runner
Bates	Houston	Maddox	Spitzer
Campbell	Keene	Maze	Strickland
Cogdill	La Malfa	Mountjoy	Wyland
Cox	La Suer	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 52: Assembly Member Plescia, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 54 (Oropeza)—An act to add Section 44238 to the Education Code, relating to teachers.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—46

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	
Dymally	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

**At 4:35 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ASSEMBLY BILL NO. 183 (Nation)—An act to add Section 14132.415 to the Welfare and Institutions Code, relating to Medi-Cal.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Berg	Frommer	Liu	Parra
Bermudez	Garcia	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maddox	Richman
Chan	Horton, Jerome	Maldonado	Ridley-Thomas
Chavez	Horton, Shirley	Matthews	Salinas
Chu	Houston	Montanez	Simitian
Cohn	Jackson	Mullin	Spitzer
Corbett	Kehoe	Nakanishi	Steinberg
Correa	Koretz	Nakano	Vargas
Daucher	Laird	Nation	Wiggins
Diaz	Leno	Negrete McLeod	Wolk
Dutra	Levine	Nunez	Yee
Dymally	Lieber	Oropeza	Mr. Speaker

NOES—23

Aghazarian	Cox	La Suer	Plescia
Bates	Dutton	Leslie	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Haynes	McCarthy	Strickland
Campbell	Keene	Mountjoy	Wyland
Cogdill	La Malfa	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 352 (Goldberg)—An act to amend, repeal, and add Section 1203.097 of the Penal Code, relating to domestic violence.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 361 (Kehoe)—An act to amend Section 132352.6 of, and to add Article 6.5 (commencing with Section 132360) to Chapter 3 of, Division 12.7 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—52

Berg	Frommer	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Richman
Canciamilla	Harman	Maldonado	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Wyland
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—26

Aghazarian	Daucher	Leslie	Plescia
Bates	Dutton	Maddox	Runner
Benoit	Garcia	Maze	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 433 (Nation)—An act to amend Sections 71200, 71201, 71201.5, 71202, 71203, 71204, 71205, 71206, 71207, 71211, 71212, 71213, 71215, 71216, and 71271 of, to amend the headings of Chapter 4 (commencing with Section 71215) of, and Chapter 5 (commencing with Section 71216) of, Division 36 of, to add Sections 71201.7, 71204.2, 71204.3, 71204.5, 71204.7, 71204.9, 71210.5, and 71217 to, and to repeal and add Section 71210 of, the Public Resources Code, and to amend Sections 44000, 44005, 44007, and 44008 of the Revenue and Taxation 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—50

Berg	Hancock	Lowenthal	Reyes
Bermudez	Harman	Maldonado	Richman
Canciamilla	Horton, Jerome	Matthews	Ridley-Thomas
Chan	Horton, Shirley	Montanez	Salinas
Chavez	Jackson	Mullin	Simitian
Chu	Kehoe	Nakano	Steinberg
Cohn	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker
Frommer	Liu	Pavley	
Goldberg	Longville	Plescia	

NOES—27

Aghazarian	Cox	La Malfa	Pacheco
Bates	Daucher	La Suer	Runner
Benoit	Dutton	Maddox	Samuelian
Bogh	Garcia	Maze	Spitzer
Campbell	Haynes	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland
Correa	Keene	Nakanishi	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 433: Assembly Member Correa, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 446 (Matthews)—An act to amend Sections 215 and 220 of, and to add Section 210.1 to, the Labor Code, relating to state 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—76

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
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—2

Campbell Haynes

Above bill ordered enrolled.

At 4:41 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 547 (Liu)—An act to add and repeal Sections 66025.6 and 69433.4 to, and to add and repeal Article 12.5 (commencing with Section 69750) of Chapter 2 of Part 42 of, the Education Code, and to add and repeal Section 981.8 of, the Military and Veterans Code, relating to postsecondary education.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Hancock	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
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 773**

At 4:43 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. 773 by the following vote:

AYES—48

Aghazarian	Daucher	La Suer	Parra
Bates	Dutra	Leslie	Plescian
Benoit	Dutton	Levine	Richman
Bermudez	Frommer	Longville	Runner
Bogh	Garcia	Maddox	Salinas
Calderon	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Jerome	McCarthy	Steinberg
Chavez	Horton, Shirley	Mountjoy	Strickland
Cogdill	Houston	Nakanishi	Vargas
Correa	Keene	Nunez	Wyland
Cox	La Malfa	Pacheco	Yee

NOES—4

Laird	Leno	Matthews	Nation
-------	------	----------	--------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 773: Assembly Member Wesson, from "Aye" to "Not Voting".

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 648 (Dymally)—An act to add and repeal Article 7 (commencing with Section 33600) of Chapter 4 of Part 20 of the Education Code, relating to commissions.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Plescia
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maddox	Richman
Chan	Horton, Jerome	Maldonado	Ridley-Thomas
Chavez	Horton, Shirley	Matthews	Salinas
Chu	Houston	Montanez	Samuelian
Cohn	Jackson	Mullin	Simitian
Corbett	Kehoe	Nakano	Steinberg
Correa	Koretz	Nation	Vargas
Daucher	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—23

Aghazarian	Cox	La Suer	Pacheco
Bates	Dutton	Leslie	Runner
Benoit	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Campbell	Keene	Mountjoy	Wyland
Cogdill	La Malfa	Nakanishi	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 648: Assembly Member Plescia, from “No” to “Aye”.

Above bill ordered enrolled immediately.

ASSEMBLY BILL NO. 682 (Corbett)—An act to amend Sections 798.55 and 798.73 of 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—50

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Harman	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wolk
Cohn	Koretz	Nation	Wyland
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	

NOES—29

Aghazarian	Garcia	Maddox	Runner
Bates	Haynes	Maze	Samuelian
Benoit	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wiggins
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	
Dutton	Leslie	Richman	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 682: Assembly Member Garcia, from “Aye” to “No”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 766 (Longville)—An act to add and repeal Section 49452.6 of the Education Code, relating to pupil health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 776 (Matthews)—An act to amend Sections 24001, 24011, 46013.1, and 62582 of, and to add Section 32501.5 to the Food and Agricultural Code, and to amend Section 110815 of the Health and Safety Code, relating to agriculture.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 827 (Committee on Business and Professions)—An act to amend Section 450.5 of, and to repeal Section 450.4 of, the Business and Professions Code, relating to professions and vocations.

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	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Benoit	Garcia	Longville	Plescica
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Runner
Chan	Horton, Shirley	Maze	Salinas
Chavez	Houston	McCarthy	Samuelian
Chu	Jackson	Montanez	Simitian
Cogdill	Keene	Mountjoy	Spitzer
Cohn	Kehoe	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	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

NOES—3

Bogh	Campbell	Haynes
------	----------	--------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 828 (Leno)—An act to amend Sections 14299, 15210, and 15211 of, and to add Sections 14299.5, 14299.7, and 14299.9 to, the Elections Code, relating to election day procedures.

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 844 (Nation)—An act to add Chapter 8.7 (commencing with Section 25770) to Division 15 of the Public Resources Code, relating to tire efficiency.

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—49

Berg	Frommer	Lowenthal	Richman
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	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	
Dymally	Longville	Reyes	

NOES—30

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Runner
Benoit	Harman	Maddox	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.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 9**

At 4:54 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.

Senate Bill No. 9 refused passage by the following vote:

AYES—37

Aghazarian	Daucher	La Suer	Richman
Bates	Diaz	Leslie	Runner
Benoit	Dutton	Maddox	Samuelian
Bogh	Garcia	Maldonado	Spitzer
Campbell	Harman	Maze	Strickland
Canciamilla	Haynes	McCarthy	Wiggins
Cogdill	Horton, Shirley	Mountjoy	Wyland
Cohn	Houston	Nakanishi	
Correa	Keene	Pacheco	
Cox	La Malfa	Plescia	

NOES—10

Chan	Hancock	Laird	Yee
Dymally	Jackson	Leno	
Goldberg	Kehoe	Nation	

**Motion to Reconsider Senate Bill No. 9
on Next Legislative Day**

Assembly Member Strickland moved to reconsider on the next legislative day the vote whereby Senate Bill No. 9 was this day refused passage.

Senate Bill No. 9 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 582**

At 4:55 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.

Senate Bill No. 582 passed by the following vote:

AYES—45

Berg	Goldberg	Longville	Ridley-Thomas
Bermudez	Hancock	Lowenthal	Salinas
Canciamilla	Harman	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chu	Jackson	Mullin	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	
Frommer	Liu	Reyes	

NOES—28

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 582: Assembly Member Garcia, from "Aye" to "No".

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Leno announced that the Committee on Public Safety would meet today, upon adjournment of Floor session.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 978 (Negrete McLeod)—An act to amend Section 710.8 of the Unemployment Insurance Code, relating to the California State University, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—55

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Bogh	Garcia	Lowenthal	Richman
Calderon	Goldberg	Maddox	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
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
Dutton	Lieber	Parra	

NOES—23

Aghazarian	Harman	Leslie	Plescia
Bates	Haynes	Maze	Runner
Benoit	Houston	McCarthy	Samuelian
Campbell	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	Wyland
Cox	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 998 (Lowenthal)—An act to add Article 9.1 (commencing with Section 41998) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to air quality.

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—49

Berg	Frommer	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Horton, Shirley	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—30

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Runner
Benoit	Harman	Mathews	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1196 (Montanez)—An act to amend Section 2836.1 of the Business and Professions Code, and to amend, repeal, and add Section 11165 of the Health and Safety Code, relating to drugs.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—76

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Frommer	Lieber	Plescia
Berg	Garcia	Liu	Reyes
Bermudez	Goldberg	Longville	Richman
Bogh	Hancock	Lowenthal	Ridley-Thomas
Calderon	Harman	Maddox	Runner
Canciamilla	Haynes	Maldonado	Salinas
Chan	Horton, Jerome	Mathews	Samuelian
Chavez	Horton, Shirley	Maze	Simitian
Chu	Houston	McCarthy	Spitzer
Cogdill	Jackson	Montanez	Steinberg
Cohn	Keene	Mullin	Strickland
Corbett	Kehoe	Nakanishi	Vargas
Correa	Koretz	Nation	Wiggins
Cox	La Malfa	Negrete McLeod	Wolk
Daucher	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—2

Campbell	Mountjoy
----------	----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1210 (Nakano)—An act to amend Sections 8201 and 8203.1 of, and to add Section 8201.2 to, the Government Code, relating to notaries public.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—58

Benoit	Garcia	Longville	Plescia
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Canciamilla	Harman	Maldonado	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	Montanez	Simitian
Chu	Houston	Mullin	Steinberg
Cogdill	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	

NOES—20

Aghazarian	Daucher	La Suer	Nakanishi
Bates	Dutton	Leslie	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Keene	McCarthy	Spitzer
Cox	La Malfa	Mountjoy	Strickland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1219 (Montanez)—An act to add Chapter 10.8 (commencing with Section 6500) to Title 7 of Part 3 of, and to repeal Section 2053.4 of, the Penal Code, relating to prison education reform.

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—43

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Ridley-Thomas
Calderon	Goldberg	Longville	Salinas
Canciamilla	Hancock	Lowenthal	Simitian
Chan	Horton, Jerome	Maddox	Steinberg
Chavez	Jackson	Montanez	Vargas
Chu	Kehoe	Mullin	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	Laird	Negrete McLeod	Yee
Diaz	Leno	Nunez	Mr. Speaker
Dutra	Levine	Oropeza	

NOES—33

Aghazarian	Garcia	Maldonado	Richman
Bates	Harman	Matthews	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	
Dutton	Leslie	Reyes	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1219: Assembly Member Cohn, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1245 (Laird)—An act to amend Sections 9002 and 9004 of the Elections Code, relating to initiatives.

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 184 (Lowenthal)—An act to amend Section 1808.21 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—78

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	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. 898 (Chu)—An act to add Section 680 to the Penal Code, relating to DNA evidence.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 999 (Jerome Horton)—An act to add Section 14132.22 to the Welfare and Institutions Code, relating to health care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—71

Aghazarian	Dymally	Lieber	Parra
Bates	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Samuelian
Chan	Horton, Shirley	Maze	Simitian
Chavez	Houston	McCarthy	Spitzer
Chu	Jackson	Montanez	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
Dutton	Levine	Pacheco	

NOES—6

Benoit	Cogdill	La Suer
Campbell	Haynes	Mountjoy

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 999: Assembly Members Bates, and La Malfa, from “No” to “Aye”.

Above bill ordered enrolled.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 692, on request of Assembly Member Canciamilla;

Senate Bill No. 626, on request of Assembly Member Negrete McLeod;

Senate Bill No. 356, on request of Assembly Member Chan;

Senate Bill No. 298, on request of Assembly Member Ridley-Thomas.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills No. 100, 419, and 1740; and Senate Bills Nos. 1041, 1043, 1072, and 705 were continued until the next legislative day.

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Steinberg was granted unanimous consent that Senate Bill No. 122, be withdrawn from the Committee on Appropriations and placed on the second reading file.

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, as noted:

Local Government to hear Senate Bill No. 570, Tuesday, September 9, 2003, prior to Floor session;

Revenue and Taxation to hear Senate Bill No. 1064, Tuesday, September 9, 2003, prior to Floor session.

ACTION RESCINDED ON SENATE BILL NO. 256

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3539), Senate Bill No. 256 was re-referred to the Committee on Judiciary pursuant to Assembly Rule 77.2.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 125 (Chesbro)—An act to amend Section 4850 of the Labor Code, relating to workers' compensation.

Bill read third time, and presented by Assembly Member Maddox.

Bill passed by the following vote:

AYES—50

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Calderon	Goldberg	Maldonado	Samuelian
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Pavley	

NOES—27

Aghazarian	Harman	Leslie	Plescica
Bates	Haynes	Maze	Richman
Benoit	Horton, Shirley	McCarthy	Runner
Campbell	Houston	Mountjoy	Spitzer
Cogdill	Keene	Nakanishi	Strickland
Cox	La Malfa	Pacheco	Wyland
Daucher	La Suer	Parra	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 185 (Sher)—An act to amend Sections 398.4 and 398.5 of the Public Utilities Code, relating to electricity.

Bill read third time, and presented by Assembly Member Pavley.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Campbell	Harman	Matthews	Runner
Canciamilla	Horton, Jerome	Maze	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mountjoy	Spitzer
Cogdill	Kehoe	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—3

Bogh	Haynes	Keene
------	--------	-------

Bill ordered transmitted to the Senate.

(NOTE: On August 23, 2004, the action was rescinded whereby Senate Bill No. 185 was passed, and whereby the bill was ordered transmitted to the Senate. See page 7439.)

SENATE JOINT RESOLUTION NO. 6 (Soto)—Relative to emergency services.

Resolution read, presented by Assembly Member Reyes, and adopted by the following vote:

AYES—75

Aghazarian	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Oropeza	Mr. Speaker
Dutton	Levine	Pacheco	

NOES—None

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 103 (Alpert)—An act to amend Section 6203 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Levine moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—45

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—33

Aghazarian	Dutton	Maddox	Richman
Bates	Garcia	Maldonado	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cohn	La Malfa	Pacheco	
Cox	La Suer	Parra	
Daucher	Leslie	Plescia	

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. 103 to the Committees on Revenue and Taxation and Appropriations.

SENATE BILL NO. 238 (Perata)—An act to amend Section 12101 of the Health and Safety Code, and to amend Sections 666.7, 11108.3, 12021, 12028, 12201, 12280, 12285, 12287, 12290, and 12301 of the Penal Code, relating to deadly weapons.

Bill read third time, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—51

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Canciamilla	Hancock	Maldonado	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	

NOES—23

Aghazarian	Houston	Maze	Runner
Bates	Keene	McCarthy	Samuelian
Cogdill	La Malfa	Mountjoy	Spitzer
Cox	La Suer	Nakanishi	Strickland
Dutton	Leslie	Pacheco	Wyland
Harman	Maddox	Plescia	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 238: Assembly Member Strickland, from “Aye” to “No”; Assembly Members Bogh and Garcia, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 709 (Florez)—An act to add Chapter 5.7 (commencing with Section 40600) to Part 3 of Division 26 of the Health and Safety Code, to add Section 9250.16 to the Vehicle Code, and to repeal Section 5 of Chapter 915 of the Statutes of 1994, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Bogh, and Benoit, demanded a roll call.

The roll was called, and the Reyes amendments adopted by the following vote:

AYES—42

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nation	Vargas
Chu	Koretz	Negrete McLeod	Wiggins
Corbett	Laird	Nunez	Wolk
Correa	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—32

Aghazarian	Dutton	Leslie	Pacheco
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Horton, Shirley	Matthews	Runner
Campbell	Houston	Maze	Samuelian
Cogdill	Keene	McCarthy	Spitzer
Cox	La Malfa	Mountjoy	Strickland
Daucher	La Suer	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Reyes to Senate Bill No. 709: Assembly Member Shirley Horton, from "Aye" to "No".

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 130 (Chesbro)—An act to add Division 1.5 (commencing with Section 1180) to the Health and Safety Code, relating to mental health.

Bill read third time, and presented by Assembly Member Steinberg.

Bill passed by the following vote:

AYES—48

Berg	Frommer	Liu	Parra
Bermudez	Goldberg	Longville	Pavley
Calderon	Hancock	Lowenthal	Reyes
Canciamilla	Horton, Jerome	Maldonado	Ridley-Thomas
Chan	Jackson	Matthews	Salinas
Chavez	Keene	Montanez	Simitian
Chu	Kehoe	Mullin	Steinberg
Cohn	Koretz	Nakano	Vargas
Corbett	Laird	Nation	Wiggins
Diaz	Leno	Negrete McLeod	Wolk
Dutra	Levine	Nunez	Yee
Dymally	Lieber	Oropeza	Mr. Speaker

NOES—30

Aghazarian	Daucher	Leslie	Richman
Bates	Dutton	Maddox	Runner
Benoit	Garcia	Maze	Samuelian
Bogh	Harman	McCarthy	Spitzer
Campbell	Horton, Shirley	Mountjoy	Strickland
Cogdill	Houston	Nakanishi	Wyland
Correa	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 614 (Cedillo)—An act to amend Sections 18628, 19116, 19164, 19166, 19173, 19177, 19179, 19504, 19715, and 21028 of, to add Section 18407 to, to add Chapter 9.5 (commencing with Section 19751) to Part 10.2 of Division 2 of, and to repeal and add Section 18648 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 857 (Speier)—An act to amend Sections 14043.1, 14043.15, 14043.65, 14043.75, 14044, 14123.25, 14124.12, and 14172.5 of, to amend the heading of Article 1.3 (commencing with Section 14043) of Chapter 7 of Part 3 of Division 9 of, and to add Sections 14043.26, 14043.27, 14043.28, 14043.29, 14043.341, 14043.47, 14105.05, and 14170.10 to, the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1016 (Bowen)—An act to amend Section 30101.7 of the Revenue and Taxation Code, relating to tobacco.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—48

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maldonado	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—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

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.

Bill read third time, and presented by Assembly Member Goldberg.

Bill passed by the following vote:

AYES—77

Aghazarian	Frommer	Liu	Plescia
Bates	Garcia	Longville	Reyes
Benoit	Goldberg	Lowenthal	Richman
Berg	Hancock	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
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Nation	Wolk
Correa	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 352 (Escutia)—An act to amend Section 17213 of the Education Code, and to amend Section 21151.8 of the Public Resources Code, relating to public schools.

Bill read third time, and presented by Assembly Member Hancock.

Bill passed by the following vote:

AYES—49

Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Horton, Shirley	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Dutra	Levine	Oropeza	
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	

NOES—29

Aghazarian	Dutton	Maddox	Runner
Bates	Harman	Maze	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	
Daucher	Leslie	Richman	

Bill ordered transmitted to the Senate.

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, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Bermudez.

Bill passed by the following vote:

AYES—64

Bates	Diaz	Leno	Parra
Benoit	Dutra	Levine	Pavley
Berg	Dutton	Lieber	Plescia
Bermudez	Dymally	Liu	Reyes
Bogh	Frommer	Longville	Richman
Calderon	Garcia	Lowenthal	Ridley-Thomas
Campbell	Goldberg	Maddox	Salinas
Canciamilla	Hancock	Maldonado	Simitian
Chan	Harman	Matthews	Spitzer
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Horton, Shirley	Mullin	Strickland
Cohn	Houston	Nakano	Vargas
Corbett	Jackson	Nation	Wiggins
Correa	Kehoe	Negrete McLeod	Wolk
Cox	Koretz	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker

NOES—14

Aghazarian	La Malfa	McCarthy	Runner
Cogdill	La Suer	Mountjoy	Samuelian
Haynes	Leslie	Nakanishi	
Keene	Maze	Pacheco	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 495 (Vasconcellos)—An act to amend Section 52051 of, and to add Section 52052.1 to, the Education Code, relating to school accountability.

Bill read third time, and presented by Assembly Member Steinberg.

Bill passed by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Garcia	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Mathews	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

NOES—30

Aghazarian	Harman	Maddox	Richman
Bates	Haynes	Maldonado	Runner
Benoit	Horton, Shirley	Maze	Samuelian
Bogh	Houston	McCarthy	Spitzer
Campbell	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	Wyland
Cox	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Bill ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health, on Tuesday, September 9, 2003;

Local Government, on Tuesday, September 9, 2003, prior to Floor session;

Revenue and Taxation, on Tuesday, September 9, 2003 at 9 a.m., in Room 437.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Jackson announced that the Committee on Natural Resources would meet today, at 7 p.m., in Room 4202.

Assembly Member Frommer announced that the Committee on Health would meet tomorrow at 10 a.m.

Assembly Member Salinas announced that the Committee on Local Government would meet on Tuesday, September 9, 2003.

OBJECTION WITHDRAWN

Assembly Member Haynes withdrew his objection to passing and retaining bills on this day's File, as relates to the following bills:

Senate Bills Nos. 274, 278, 1074, 428, 328, 604, 1080, 259, 269, 439, 976, 41, 306, 678, 694, 96, 364, 98, 566, and 33; and Senate Constitutional Amendment No. 1.

DESK HELD OPEN

Speaker pro Tempore Kehoe announced that by leadership agreement, the Desk would be held open until 8 p.m. to receive amendments for bills on the third reading file.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 561 for hearing in the Committee on Health on Tuesday, September 9, 2003, prior to Floor session.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND RULES

Assembly Member Chan requested unanimous consent to suspend Joint Rule 62(a) to permit the Committee on Health to hear Senate Bill No. 494 on Tuesday, September 9, 2003.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved to suspend Joint Rule 62(a) to permit the Committee on Health to hear Senate Bill No. 494 on Tuesday, September 9, 2003.

Assembly Member Goldberg seconded the motion.

Motion for suspension of the Rules carried by the following vote:

AYES—44

Bermudez	Frommer	Liu	Parra
Calderon	Goldberg	Longville	Pavley
Chan	Hancock	Lowenthal	Reyes
Chavez	Horton, Jerome	Matthews	Ridley-Thomas
Chu	Jackson	Montanez	Salinas
Cohn	Kehoe	Mullin	Simitian
Corbett	Koretz	Nakano	Steinberg
Correa	Laird	Nation	Wiggins
Diaz	Leno	Negrete McLeod	Wolk
Dutra	Levine	Nunez	Yee
Dymally	Lieber	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Dutton	Maze	Samuelian
Bates	Garcia	McCarthy	Spitzer
Benoit	Harman	Mountjoy	Strickland
Bogh	Haynes	Nakanishi	Vargas
Campbell	La Malfa	Pacheco	Wyland
Cogdill	La Suer	Plescia	
Cox	Maddox	Richman	
Daucher	Maldonado	Runner	

BILLS PASSED ON FILE

Senate Bills Nos. 707, 71, 810, 1005, 219, 420, 588, and 814—Passed on file.

BILLS PASSED ON FILE AND PLACED UPON THE INACTIVE FILE

Assembly Bill No. 4; Assembly Constitutional Amendments Nos. 4, 7, 9, 11, and 15; Senate Bills Nos. 1054, 131, 217, 430, 796, 920, and 17—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Longville announced his intention to request that Senate Bill No. 430 be removed from the inactive file.

ADJOURN IN MEMORY

Assembly Members Bates, Harman, Campbell, Daucher, Spitzer, Correa, and Maddox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andrea Collins, of Laguna Beach.

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joe Flores, of Oceanside.

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 Judith A. Gupton, of Eureka.

Assembly Member Calderon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Priscilla Wade, of Rancho Mirage.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hazel Henley, of Glendale.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Eric 'Ric' McGredy, of Danville.

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 Deena Kagan, of Beverly Hills.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 1047: Aghazarian, Bates, Calderon, Campbell, Canciamilla, Chavez, Garcia, Harman, Shirley Horton, Houston, La Malfa, Levine, Maldonado, Maze, McCarthy, Montanez, Nakanishi, Pacheco, Plescia, Samuelian, Simitian, Spitzer, and Wyland—Aye.

Senate Bill No. 551: Canciamilla, Jerome Horton, Houston, Keene, La Malfa, Pacheco, Samuelian, and Wyland—Aye.

Senate Bill No. 226: Houston, Keene, La Malfa, Pacheco, Samuelian, and Wyland—Aye.

Senate Bill No. 403, Chan Motion to Suspend Rules: Leslie—Aye; Houston, Keene, La Malfa, and Pacheco—No.

Senate Bill No. 599: Houston and Runner—Aye; Keene and La Malfa—No.

Senate Bill No. 67: Jerome Horton—Aye; Daucher, Dutton, Garcia, Houston, La Malfa, Richman, and Wyland—No.

Senate Bill No. 157: Canciamilla, Frommer, Jerome Horton, Shirley Horton, and Simitian—Aye; Bates, Houston, La Malfa, and Wyland—No.

Senate Bill No. 469: Bogh, Canciamilla, Houston, La Malfa, Plescia, Simitian, and Wyland—Aye.

Senate Bill No. 916: La Malfa and Matthews—No.

Senate Bill No. 186: Houston, Maldonado, Mullin, Pavley, Plescia, and Steinberg—Aye; Campbell, La Malfa, and Mountjoy—No.

Senate Bill No. 331, Frommer Amendments: Berg, Calderon, Canciamilla, Corbett, Correa, and Jerome Horton—Aye; Houston, La Malfa, Maldonado, Matthews, Pacheco, and Spitzer—No.

Senate Bill No. 937: Aghazarian, Corbett, Correa, Dutra, Garcia, Harman, Maldonado, McCarthy, Pacheco, Plescia, and Spitzer—Aye; La Malfa—No.

Senate Bill No. 418, Benoit Motion to Re-refer: La Malfa, Mountjoy, and Strickland—Aye; Correa, Garcia, and Nakanishi—No.

Senate Bill No. 418: Correa—Aye; Garcia, La Malfa, and Mountjoy—No.

Senate Bill No. 771: Canciamilla, Correa, Daucher, and Yee—Aye; Bates, Garcia, Shirley Horton, La Malfa, La Suer, Mountjoy, Spitzer, and Wyland—No.

Senate Bill No. 821: Canciamilla, Correa, Frommer, Garcia, and Maldonado—Aye; La Malfa, La Suer, Plescia, and Wyland—No.

Senate Bill No. 970: Corbett, Diaz, Jerome Horton, La Malfa, and La Suer—Aye.

Senate Bill No. 763: Garcia, Shirley Horton, La Malfa, Mountjoy, and Pavley—Aye.

Senate Bill No. 5: La Malfa, Mountjoy, and Nakano—Aye.

Senate Bill No. 15: Corbett, Garcia, La Malfa, Maldonado, and Mountjoy—Aye.

Senate Bill No. 168: Bates, Corbett, Daucher, Dutton, Garcia, Shirley Horton, La Malfa, La Suer, and Maldonado—Aye.

Senate Bill No. 244: Bates, Corbett, Garcia, Shirley Horton, and Maldonado—Aye.

Senate Bill No. 248: Bates, Correa, Garcia, and Shirley Horton—Aye.

Senate Bill No. 358: Aghazarian, Bates, Garcia, Shirley Horton, Lowenthal, Nakanishi, Simitian, Spitzer, and Wyland—Aye.

Senate Bill No. 549: Daucher, Dutton, Garcia, Shirley Horton, Maze, Nakanishi, and Simitian—Aye; Aghazarian, Bates, Samuelian, and Wyland—No.

Senate Bill No. 649: Bermudez and Correa—Aye; Garcia, Matthews, Mountjoy, Plescia, and Wyland—No.

Senate Bill No. 748: Correa, Daucher, Dutton, Houston, and Nation—Aye.

Senate Bill No. 1061: Plescia, Runner, Simitian, and Wyland—Aye.

Senate Bill No. 377: Houston, Nakano, Plescia, Runner, and Wyland—Aye.

Senate Bill No. 730: Chu, Garcia, Montanez, Plescia, Simitian, and Wyland—Aye.

Senate Bill No. 494, Kehoe Amendments: Corbett and Jerome Horton—Aye; Houston, Plescia, and Wyland—No.

Senate Bill No. 19: Daucher, Garcia, Shirley Horton, and Wyland—Aye; Bates, Dutton, Plescia, and Spitzer—No.

Senate Bill No. 81: Bates, Calderon, Chavez, Harman, Shirley Horton, Maze, Pacheco, Plescia, Simitian, and Wyland—Aye.

Senate Bill No. 3: Maldonado, Mullin, Richman, and Steinberg—Aye; Campbell, Correa, Mountjoy, and Wyland—No.

Senate Bill No. 314: Jerome Horton and Pacheco—Aye; Shirley Horton, Matthews, Mountjoy, and Wyland—No.

Senate Bill No. 602: Corbett and Maldonado—Aye; Richman and Spitzer—No.

Senate Bill No. 640: Calderon, Chavez, and Koretz—Aye; Daucher, Dutton, Plescia, and Wyland—No.

Senate Bill No. 1008: Calderon, Chavez, Diaz, Jerome Horton, Plescia, and Wyland—Aye.

Senate Bill No. 56: Calderon, Chavez, Correa, Harman, Maze, and Simitian—Aye.

Senate Bill No. 87: Calderon, Chavez, Correa, Jerome Horton, Shirley Horton, Longville, Nakanishi, Pavley, and Simitian—Aye.

Senate Bill No. 680: Berg, Canciamilla, Dutra, Haynes, Jerome Horton, Nakanishi, and Simitian—Aye.

Senate Bill No. 964: Canciamilla, Daucher, Dutton, Garcia, Nakanishi, Plescia, and Simitian—Aye; Aghazarian, Correa, and Haynes—No.

Senate Bill No. 83: Frommer and Jerome Horton—Aye.

Senate Bill No. 27: Dutton, Jerome Horton, La Malfa, and Maze—Aye; Haynes—No.

Assembly Bill No. 1449, Concurrence: Cox, Dutton, La Malfa, Ridley-Thomas, and Strickland—Aye.

Assembly Bill No. 663, Concurrence: Berg, Calderon, Canciamilla, Chavez, Chu, Garcia, Montanez, and Nakanishi—Aye.

Assembly Bill No. 650, Concurrence: Maze—Aye.

Assembly Bill No. 52, Concurrence: Dutton, Garcia, and Nakano—Aye; Bates and La Malfa—No.

Assembly Bill No. 54, Concurrence: Berg, Diaz, Goldberg, and Jerome Horton—Aye; Bates, Dutton, Garcia, and Spitzer—No.

Assembly Bill No. 183, Concurrence: Berg, Canciamilla, Cohn, Daucher, Garcia, Lieber, Maldonado, and Richman—Aye; Bates, Dutton, Haynes, and Maze—No.

Assembly Bill No. 352, Concurrence: Berg, Canciamilla, Chan, Haynes, Ridley-Thomas, and Wiggins—Aye.

Assembly Bill No. 361, Concurrence: Berg, Canciamilla, Chan, and Richman—Aye; Bates, Garcia and Haynes—No.

Assembly Bill No. 433, Concurrence: Berg, Canciamilla, and Plescia—Aye; Bates, Haynes, and Keene—No.

Assembly Bill No. 446, Concurrence: Berg, Canciamilla, La Malfa, Pacheco, Runner, Salinas, and Simitian—Aye; Campbell and Haynes—No.

Assembly Bill No. 547, Concurrence: Berg, Canciamilla, and Richman—Aye.

Assembly Bill No. 773, Concurrence: Canciamilla, Dutra, Levine, Longville, Steinberg, and Yee—Aye; Laird, Leno, Matthews, and Nation—No.

Assembly Bill No. 648, Concurrence: Richman—Aye; Campbell, Runner, and Wyland—No.

Assembly Bill No. 682, Concurrence: Chu and Wyland—Aye.

Assembly Bill No. 766, Concurrence: Diaz and Jackson—Aye.

Assembly Bill No. 776, Concurrence: Canciamilla—Aye.

Assembly Bill No. 827, Concurrence: Canciamilla, Mullin, Runner, and Steinberg—Aye.

Assembly Bill No. 844, Concurrence: Correa, Diaz, and Jerome Horton—Aye; Garcia and Spitzer—No.

Senate Bill No. 9: Correa—Aye; Laird—No.

Senate Bill No. 582: Jerome Horton and Nation—Aye; Daucher, Dutton, and Spitzer—No.

Assembly Bill No. 978, Concurrence: Spitzer—Aye; Mountjoy and Pacheco—No.

Assembly Bill No. 998, Concurrence: Mountjoy—No.

Assembly Bill No. 1196, Concurrence: Hancock—Aye; Campbell and Mountjoy—No.

Assembly Bill No. 1210, Concurrence: Simitian—Aye; Cox, Daucher, Mountjoy, Runner, and Strickland—No.

Assembly Bill No. 1219, Concurrence: Bermudez—Aye; Mountjoy—No.

Assembly Bill No. 1245, Concurrence: Correa—Aye; Mountjoy—No.

Assembly Bill No. 184, Concurrence: Correa, Cox, Harman, Maze, and Mountjoy—Aye.

Assembly Bill No. 898, Concurrence: Correa, Harman, Maze, and Mountjoy—Aye.

Assembly Bill No. 999, Concurrence: Aghazarian, Correa, Daucher, Dutton, Shirley Horton, Houston, Plescia, and Wyland—Aye; Mountjoy—No.

Senate Bill No. 125: Correa, Frommer, Laird, Longville, Maldonado, Salinas, and Samuelian—Aye; Bates, Daucher, Shirley Horton, Houston, McCarthy, Mountjoy, Pacheco, Plescia, Spitzer, and Wyland—No.

Senate Bill No. 185: Bates, Correa, Cox, Daucher, Diaz, Dutton, Shirley Horton, Houston, McCarthy, Mountjoy, Pacheco, Plescia, Samuelian, Strickland, and Wyland—Aye.

Senate Joint Resolution No. 6: Correa, Harman, Maze, McCarthy, Plescia, and Wyland—Aye.

Senate Bill No. 103, Levine Amendments: Bates, Shirley Horton, McCarthy, Plescia, Samuelian, and Wyland—No.

Senate Bill No. 238: Correa, Daucher, Shirley Horton, and Maldonado—Aye; Bates, Houston, Pacheco, Plescia, Runner, and Wyland—No.

Senate Bill No. 709, Reyes Amendments: Bermudez, Laird, Longville, and Ridley-Thomas—Aye; Houston, Pacheco, Plescia, and Wyland—No.

Senate Bill No. 130: Maldonado—Aye; Aghazarian, Daucher, Houston, Pacheco, Plescia, Spitzer, and Wyland—No.

Senate Bill No. 857: Aghazarian, Chu, Montanez, and Pacheco—Aye.

Senate Bill No. 1016: Houston, Pacheco, and Wyland—No.

Senate Bill No. 187: Jerome Horton—Aye.

Senate Bill No. 352: Chan and Jerome Horton—Aye; Daucher, Houston, Pacheco, and Spitzer—No.

Senate Bill No. 412: Chan, Hancock, Houston, Liu, and Plescia—Aye; Pacheco—No.

Senate Bill No. 495: Chan and Liu—Aye; Houston, Maldonado, and Pacheco—No.

Senate Bill No. 494, Chan Motion to Suspend Rules: Liu—Aye; Bates—No.

MOTION TO ADJOURN

At 6:12 p.m., Assembly Member Mountjoy moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 6:13 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

September 8, 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 Assemblymember Jackie Goldberg to fill the vacancy on the Assembly Revenue and Taxation Committee for the Tuesday, September 9th hearing only.

Sincerely,

HERB J. WESSON, JR.

Speaker of the California Assembly

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 933

With amendments with the recommendation: Amend, and do pass, as amended.

CORBETT, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 84

With the recommendation: Do pass.

LENO, Chair

Above bill ordered to second reading.

Committee on Elections, Redistricting and Constitutional Amendments

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 190

Assembly Bill No. 1679

With the recommendation: That the Senate amendments be concurred in.

LONGVILLE, Chair

Above bills ordered to unfinished business.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 8, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 13

Assembly Bill No. 51

Assembly Bill No. 123

Assembly Bill No. 171

Assembly Bill No. 179

Assembly Bill No. 182

Assembly Bill No. 213

Assembly Bill No. 218

Assembly Bill No. 255

Assembly Bill No. 390

Assembly Bill No. 424

Assembly Bill No. 528

Assembly Bill No. 620

Assembly Bill No. 669

Assembly Bill No. 728

Assembly Bill No. 768

Assembly Bill No. 878

Assembly Bill No. 936

Assembly Bill No. 943

Assembly Bill No. 1014

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2003, at 2 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 8, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1044

Assembly Bill No. 1086

Assembly Bill No. 1180

~~Assembly Bill No. 1209~~

Assembly Bill No. 1214

Assembly Bill No. 1220

Assembly Bill No. 1263

Assembly Bill No. 1368

Assembly Bill No. 1384

Assembly Bill No. 1400

Assembly Bill No. 1409

Assembly Bill No. 1536

Assembly Bill No. 1576

Assembly Bill No. 1683

Assembly Bill No. 1712

Assembly Bill No. 1717

Assembly Bill No. 1735

Assembly Bill No. 1738

Assembly Bill No. 1741

Assembly Bill No. 1774

And reports the same correctly enrolled, and presented to the Governor on the 8th day of September, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

(NOTE: On September 13, 2003, the action was rescinded whereby Assembly Bill No. 1209 was reported correctly enrolled and presented to the Governor. See page 3949.)

INTRODUCTION OF GUESTS

Assembly Member Runner, of the 36th Assembly District, introduced former Assembly Member Larry Chimbole.

Assembly Member Levine, of the 40th Assembly District, introduced former Assembly Member Tony Cardenas.

Speaker Wesson introduced former Speaker Antonio R. Villaraigosa.

ADJOURNMENT

At 6:13 p.m., pursuant to the motion by Assembly Member Mountjoy, the Assembly adjourned until 10:30 a.m., Tuesday, September 9, 2003 out of respect to the memory of Andrea Collins, on motion of Assembly Members Bates, Harman, Campbell, Daucher, Spitzer, Correa, and Maddox; out of respect to the memory of Joe Flores, on motion of Assembly Member Bates; out of respect to the memory of Judith A. Gupton, on motion of Assembly Member Berg; out of respect to the memory of Priscilla Wade, on motion of Assembly Member Calderon; out of respect to the memory of Hazel Henley, on motion of Assembly Member Frommer; out of respect to the memory of Robert Eric 'Ric' McGredy, on motion of Assembly Member Houston; and out of respect to the memory of Deena Kagan, on motion of Assembly Member Spitzer.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON SEPTEMBER 8, 2003

The following measures were amended in the Assembly on this day:

SB	RN	SB	RN
23	0319822	611	0319715
24	0319659	614	0319632
25	0319660	620	0319403
41	0319513	627	0319589
67	0319225	651	0319557
78	0319302	709	0319568
103	0319618	719	0319567
256	0319455	808	0319689
259	0319544	842	0319056
261	0319635	892	0319495
262	0319641	902	0319454
288	0319690	915	0318531
331	0319705	923	0319695
348	0319610	973	0319608 *
359	0319504	1047	0319154
360	0319597	1058	0319670
428	0318909	1064	0319961
476	0319505		
494	0319687	SCR	RN
590	0319683	48	0318690
591	0319039		

* Adoption of amendments rescinded.

Daily Total:	38
Cumulative Total:	2839

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, September 9, 2003

**ONE HUNDRED TWENTY-SIXTH SESSION DAY
TWO HUNDRED EIGHTY-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
Tuesday, September 9, 2003

The Assembly met at 10:30 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, 10:31 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 10:41 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:

O Creator of All Things, From the treasures of Your wisdom, You have established the ranks of the angels and the whole universe. You are proclaimed the true light and wisdom and the true origin raised high beyond all things. Lord, God, shine a ray of Your brightness into the darkened places of our soul. Refine our speech and grant to us a clear mind, a functioning memory and skill in learning. Guide the beginning of our work with Your Holy Spirit this day, Lord, and direct its progress forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Cogdill 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 Cogdill, seconded by Assembly Member Chan.

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:

September 8, 2003

Mr. E. Dotson Wilson

*Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Marco Firebaugh, Jerome Horton, Irene Hirano and Gayle Roski to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Assemblymembers Marco Firebaugh and Jerome Horton, Ms. Irene Hirano and Ms. Gayle Roski to the California Cultural and Historical Endowment. These are pleasure appointments starting September 8, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following resolution was introduced and read the first time:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 20—Ridley-Thomas (Coauthor: Corbett) (Coauthor: Senator Perata). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 8, 9, 14, 15, and 17 of Article II thereof, and by amending Section 4 of Article XVIII thereof, relating to recall.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 139—Dymally. Relative to the Charles R. Drew Postgraduate Medical School.

ASSEMBLY CONCURRENT RESOLUTION NO. 140—Wesson. Relative to Brown v. Board of Education and Equality in Education Day.

AUTHOR'S AMENDMENTS**Committee on Revenue and Taxation**

September 9, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 1064

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

SENATE BILL NO. 1064—An act to amend Sections 6902.2, 19047, 19333, and 19345 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; author's amendments, presented to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES**Committee on Natural Resources**

Date of Hearing: September 8, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 18

With the recommendation: Do pass.

JACKSON, Chair

Above bill ordered to second reading.

REPORTS OF COMMITTEES**Committee on Local Government**

Date of Hearing: September 9, 2003

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 570

With amendments with the recommendation: Amend, and do pass, as amended.

SALINAS, Chair

Above bill ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 9, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 189

Assembly Bill No. 820

Assembly Bill No. 236

Assembly Bill No. 862

Assembly Bill No. 243

Assembly Bill No. 879

Assembly Bill No. 332

Assembly Bill No. 948

Assembly Bill No. 377

Assembly Bill No. 956

Assembly Bill No. 385

Assembly Bill No. 986

Assembly Bill No. 544

Assembly Bill No. 996

Assembly Bill No. 587

Assembly Bill No. 1005

Assembly Bill No. 668

Assembly Bill No. 1095

Assembly Bill No. 762

Assembly Bill No. 1398

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1476

Assembly Bill No. 1715

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
September 8, 2003

To the Members of the California Legislature:

I am pleased to sign Assembly Bill 310, which requires a school employer (K–12) or community college district) to transmit dues and fair share fees to the employee organization within 15 days and prohibits the State Board of Education from approving waivers for this requirement.

A school employer should expeditiously transmit membership dues and agency fees to an exclusive representative. It is my understanding that all school districts currently transmit dues and fair share fees to the employee organization within 15 days and that Los Angeles Unified has voluntarily agreed to do this within 15 working days. This bill simply designates the time period in which dues and agency fees must be transmitted. This action does not meet a higher level of service or create a new program, as current law states that all employee organizations have the right to have membership dues deducted and current law further requires school districts to transmit the dues on the same designated date of each month.

Sincerely,

GRAY DAVIS

MESSAGES FROM THE SENATE

Senate Chamber, September 4, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1428

Assembly Bill No. 1438

Assembly Bill No. 1458

Assembly Bill No. 1469

Assembly Bill No. 1512

Assembly Bill No. 1541

Assembly Bill No. 1548

Assembly Bill No. 1627

Assembly Bill No. 1628

Assembly Bill No. 1669

Assembly Bill No. 1700

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, September 4, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 66

Assembly Bill No. 158

Assembly Bill No. 233

Assembly Bill No. 396

Assembly Bill No. 453

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, September 4, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Joint Resolution No. 3

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, September 8, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 47
Assembly Bill No. 68
Assembly Bill No. 121
Assembly Bill No. 161
Assembly Bill No. 260
Assembly Bill No. 356
Assembly Bill No. 401
Assembly Bill No. 509
Assembly Bill No. 526
Assembly Bill No. 568
Assembly Bill No. 692
Assembly Bill No. 801

Assembly Bill No. 906
Assembly Bill No. 935
Assembly Bill No. 1028
Assembly Bill No. 1049
Assembly Bill No. 1137
Assembly Bill No. 1286
Assembly Bill No. 1355
Assembly Bill No. 1501
Assembly Bill No. 1666
Assembly Bill No. 1685
Assembly Bill No. 1770

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, September 8, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 177
Assembly Bill No. 197
Assembly Bill No. 294
Assembly Bill No. 313

Assembly Bill No. 366
Assembly Bill No. 691
Assembly Bill No. 1498

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, September 4, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 331

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, September 4, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 676
Assembly Bill No. 1085

Assembly Bill No. 1097
Assembly Bill No. 1321

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, September 8, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- Assembly Bill No. 106
- Assembly Bill No. 1598
- Assembly Bill No. 1775

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, September 8, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 125
- Assembly Concurrent Resolution No. 132
- Assembly Concurrent Resolution No. 134
- Assembly Concurrent Resolution No. 136

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, September 8, 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. 151 | Senate Bill No. 801 |
| Senate Bill No. 338 | Senate Bill No. 802 |
| Senate Bill No. 452 | Senate Bill No. 851 |
| Senate Bill No. 642 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

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. 1501, 366, and 1498.

MESSAGES FROM THE SENATE

September 9, 2003

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 1049 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

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 Jamie Elizabeth Westoby, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes withheld unanimous consent on the following:

ALL motions to “Pass and Retain” on every single bill which is taken up by the Assembly today, such that the failure of either an author or Floor author to take up a bill which appears on today’s Assembly Third Reading File will in fact constitute a “Pass On File;”

ALL motions to “Pass Temporarily” on every single bill which comes before the Assembly today, such that while throughout the course of the day’s proceedings the Presiding Officer may return to a measure for purposes of taking that measure up for a vote, upon adjournment of today’s session the failure of either an author or Floor author to take up a bill which appears on today’s Assembly Third Reading File will in fact constitute a “Pass On File.”

CONSIDERATION OF DAILY FILE**SECOND READING OF SENATE BILLS**

SENATE BILL NO. 362—An act to amend Sections 1616.5, 1742, 1765, and 1775 of, and to amend and repeal Section 1601.1 of the Business and Professions Code, to amend Section 830.3 of the Penal Code, and to repeal Sections 3 and 4 of Chapter 859 of the Statutes of 2001, relating to dental professionals.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 122—An act to add Sections 17204.6 and 17204.9 to, and to repeal and add Section 17204.7 of, the Business and Professions Code, and to repeal Section 4 of Chapter ____ of the Statutes of 2003, relating to unfair competition.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 277—An act to add Chapter 13 (commencing with Section 2930) to Division 3 of the Fish and Game Code, and to amend Section 9 of Chapter 6.7 of the Statutes of 2002, relating to water, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 317—An act to amend Section 2081.7 of the Fish and Game Code and to amend Section 1013 of, and to add Section 1013.5 to, the Water Code, relating to the resources, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 654—An act to amend Section 12562 of the Water Code, and to amend Section 1 of Chapter 617 of the Statutes of 2002, relating to water, making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Water, Parks and Wildlife read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 534—An act to add Section 6333 to the Labor Code, relating to employment.

Bill read second time; amendments proposed by the Committee on Labor and Employment read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 868—An act to amend Section 1773.1 of the Labor Code, relating to public works.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 933—An act to add Section 354.9 to the Code of Civil Procedure, relating to civil actions.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 84—An act to add Section 1210.3 to the Penal Code, relating to drug treatment, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**At 10:50 a.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

At 10:54 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

THIRD READING OF SENATE BILLS

SENATE BILL NO. 274 (Soto)—An act to add Article 11.5 (commencing with Section 31770) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to public employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time:

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments:

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 274 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted. See page 3649.)

SENATE BILL NO. 1074 (Committee on Environmental Quality)—An act to amend Section 115840.5 of, and to amend and repeal Section 115825 of, the Health and Safety Code, and to amend Sections 21061.0.5, 21092, 21159.21, and 48003 of the Public Resources Code, relating to environmental health, and declaring the urgency thereof, to take effect immediately.

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. 605 (McPherson)—An act to add Section 8592.6 to the Government Code, relating to public safety.

Bill read third time.

Motion to Amend

Assembly Member Nakano moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 279 (Chesbro)—An act to amend Section 68120 of the Education Code, relating to public postsecondary education.

Bill read third time.

Motion to Amend

Assembly Member La Malfa moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 259 (Romero)—An act to amend Section 44018 of, and to add Section 87018 to, the Education Code, relating to school employees.

Bill read third time, and presented by Assembly Member Dutton.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 268 (Soto)—An act to amend Sections 20776, 21037, and 21050 of the Government Code, relating to public employees' retirement.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 322 (Ortiz)—An act to add and repeal Sections 125118, 125118.5, 125119, 125119.3, and 125119.5 of the Health and Safety Code, relating to medical research.

Bill read third time, and presented by Assembly Member Chu.

Bill passed by the following vote:

AYES—49

Berg	Dymally	Longville	Richman
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	Koretz	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Reyes	

NOES—28

Aghazarian	Dutton	Leslie	Pacheco
Bates	Garcia	Maddox	Plescia
Benoit	Haynes	Maldonado	Runner
Bogh	Houston	Maze	Samuelian
Campbell	Keene	McCarthy	Spitzer
Cogdill	La Malfa	Mountjoy	Strickland
Cox	La Suer	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

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. 360 to the Committee on Labor and Employment.

DEBATE LIMITED

Speaker pro Tempore Kehoe announced that by leadership agreement, debate on measures on today’s file would be limited to three minutes.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Dutra announced his intention to request that Senate Bill No. 796 be removed from the inactive file.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 566 (Scott)—An act to amend Sections 7251.1 and 7251.2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Chu moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—42

Berg	Dymally	Longville	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Salinas
Calderon	Goldberg	Montanez	Simitian
Canciamilla	Hancock	Mullin	Steinberg
Chan	Jackson	Nakano	Vargas
Chavez	Kehoe	Nation	Wiggins
Chu	Koretz	Negrete McLeod	Wolk
Cohn	Laird	Nunez	Yee
Corbett	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Pavley	
Dutra	Lieber	Reyes	

NOES—35

Aghazarian	Dutton	Leslie	Parra
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Matthews	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 623 (Ducheny)—An act to amend Section 2081.7 of the Fish and Game Code, relating to endangered species.

Bill read third time.

Motion to Amend

Assembly Member Diaz moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Cox, and Benoit, demanded a roll call.

The roll was called, and the Diaz amendments adopted by the following vote:

AYES—45

Berg	Goldberg	Lowenthal	Ridley-Thomas
Bermudez	Hancock	Matthews	Salinas
Calderon	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	
Frommer	Longville	Reyes	

NOES—32

Aghazarian	Daucher	La Malfa	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Richman
Bogh	Harman	Maldonado	Runner
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland

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. 623 to the Committee on Jobs, Economic Development and the Economy.

SENATE BILL NO. 71 (Kuehl)—An act to amend Sections 221.5, 37631, 41840, 48980, and 51851 of, to add Chapter 5.6 (commencing with Section 51930) to Part 28 of, to repeal Sections 51201.5, 51229, 51229.5, 51229.8, and 51240 of, to repeal Article 6 (commencing with Section 51550) of Chapter 4 of Part 28 of, and to repeal Article 11 (commencing with Section 51820) of Chapter 5 of Part 28 of, the Education Code, relating to instruction.

Bill read third time, and presented by Assembly Member Steinberg.

**At 11:43 a.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

Bill passed by the following vote:

AYES—47

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Matthews	Ridley-Thomas
Canciamilla	Horton, Jerome	Montanez	Salinas
Chan	Jackson	Mullin	Simitian
Chavez	Kehoe	Nakano	Steinberg
Chu	Koretz	Nation	Vargas
Cohn	Laird	Negrete McLeod	Wiggins
Corbett	Leno	Nunez	Wolk
Diaz	Levine	Oropeza	Yee
Dutra	Lieber	Parra	Mr. Speaker
Dymally	Liu	Pavley	

NOES—32

Aghazarian	Daucher	La Malfa	Nakanishi
Bates	Dutton	La Suer	Pacheco
Benoit	Garcia	Leslie	Plescica
Bogh	Harman	Maddox	Runner
Campbell	Haynes	Maldonado	Samuelian
Cogdill	Horton, Shirley	Maze	Spitzer
Correa	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland

Bill ordered transmitted to the Senate.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Chan announced that the Committee on Revenue and Taxation would meet off the Floor at this time, for purpose of adjournment.

CAUCUS ANNOUNCEMENTS

At 12:27 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 12:28 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 2:35 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- Assembly Bill No. 163
- Assembly Bill No. 170
- Assembly Bill No. 1532

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.

September 9, 2003

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 602 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate appointed Senator Alpert vice Senator Speier as a Committee on Conference concerning:

Senate Bill No. 2.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 216 (Sher)—An act to amend Sections 2106, 2109, 2110, and 2111 of, to amend and renumber Section 2116 of, and to repeal Section 2106.5 of, the Fish and Game Code, relating to endangered species.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 306 (Ducheny)—An act to amend Sections 17021.7, 17951, 18013.4, 18045.5, 18214, 18300, 18862.39, 18862.47, 18865, 19971, 50517.5, 50781, and 50786 of the Health and Safety Code, relating to mobilehomes and manufactured homes, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Salinas moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 436 (Soto)—An act to amend Sections 22790, 22792, 22793, 22794, 22825.1, 22840, and 22850 of the Government Code, relating to the Public Employees' Medical and Hospital Care Act, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 460 (Alpert)—An act to amend Section 53027 of the Education Code, relating to education.

Bill read third time.

Motion to Amend

Assembly Member Yee moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 606 (Vasconcellos)—An act to amend Section 49455 of the Education Code, relating to pupil health.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 810 (Burton)—An act to amend Sections 4514.3, 4582.7, and 4582.75 of, and to add Section 4582.71 to, the Public Resources Code, relating to natural resources.

Bill read third time, and presented by Assembly Member Nation.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Nation moved a call of the Assembly.

Motion carried. Time, 3:03 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 926 (Knight)—An act to add Chapter 5 (commencing with Section 13999) to Part 4.7 of Division 3 of Title 2 of, and to add and repeal Chapter 4 (commencing with Section 13998) of Part 4.7 of Division 3 of Title 2 of, the Government Code, to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, and to add Article 8 (commencing with Section 5079.70) to Chapter 1.1.5 of Division 5 of the Public Resources Code, relating to economic development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Parra moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members Cogdill, Benoit, and Cox demanded a roll call.

The roll was called, and the Parra amendments adopted by the following vote:

AYES—64

Aghazarian	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chan	Horton, Jerome	Maze	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Kehoe	Mullin	Steinberg
Cohn	Koretz	Nakano	Vargas
Corbett	La Malfa	Nation	Wiggins
Correa	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Wyland
Dutra	Leno	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

NOES—3

Campbell	Cogdill	Nakanishi
----------	---------	-----------

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 578 (Aларcon)—An act to amend Section 6108 of the Public Contract Code, relating to public contracts.

Bill read third time.

Motion to Amend

Assembly Member Hancock moved the adoption of amendments.

Amendments read and adopted by 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 588 (Johnson)—An act to add and repeal Section 17463.5 of the Education Code, relating to school finance.

Bill read third time, and presented by Assembly Member Hancock.

Bill passed by the following vote:

AYES—71

Aghazarian	Dutra	Levine	Plescia
Bates	Dutton	Lieber	Reyes
Benoit	Dymally	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Garcia	Lowenthal	Runner
Bogh	Hancock	Maldonado	Salinas
Calderon	Harman	Matthews	Samuelian
Campbell	Horton, Jerome	Maze	Simitian
Canciamilla	Horton, Shirley	McCarthy	Spitzer
Chan	Houston	Mullin	Steinberg
Chavez	Jackson	Nakanishi	Strickland
Chu	Keene	Nakano	Vargas
Cogdill	Kehoe	Negrete McLeod	Wiggins
Cohn	Koretz	Nunez	Wolk
Corbett	La Malfa	Oropeza	Wyland
Correa	Laird	Pacheco	Yee
Cox	Leno	Parra	Mr. Speaker
Diaz	Leslie	Pavley	

NOES—4

Haynes	La Suer	Maddox	Mountjoy
--------	---------	--------	----------

Bill ordered transmitted to the Senate.

SENATE BILL NO. 700 (Florez)—An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, 40724.6, 40724.7, 40731, 42301.16, 42301.17, 42301.18, and 44559.9 to, the Health and Safety Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read and adopted by following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	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	Plescia
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 reprinted and to be returned to the third reading file.

SENATE BILL NO. 704 (Florez)—An act to repeal Part 3 (commencing with Section 1101) of Division 1 of the Food and Agricultural Code, and to add Section 41606 to the Health and Safety Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read and adopted by following vote:

AYES—44

Berg	Frommer	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Chan	Hancock	Lowenthal	Ridley-Thomas
Chavez	Horton, Jerome	Matthews	Salinas
Chu	Jackson	Montanez	Simitian
Cohn	Kehoe	Mullin	Steinberg
Corbett	Koretz	Nation	Vargas
Correa	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—30

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescica
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Spitzer
Campbell	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wyland
Cox	Keene	Mountjoy	
Daucher	La Malfa	Nakanishi	

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Reyes to Senate Bill No. 704: Assembly Member Maze, from “Aye” to “No”.

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 686 (Ortiz)—An act to amend Section 674.6 of, to add Section 674.9 to, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of, the Insurance Code, relating to long-term care facilities.

Bill read third time.

Motion to Amend

Assembly Member Chu moved the adoption of amendments.

Amendments read and adopted by following vote:

AYES—49

Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Matthews	Salinas
Calderon	Hancock	Montanez	Simitian
Canciamilla	Horton, Jerome	Mullin	Steinberg
Chan	Jackson	Nakanishi	Strickland
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	
Dymally	Longville	Reyes	

NOES—28

Aghazarian	Dutton	La Malfa	Mountjoy
Bates	Garcia	La Suer	Pacheco
Benoit	Harman	Leslie	Plescia
Bogh	Haynes	Maddox	Runner
Campbell	Horton, Shirley	Maldonado	Samuelian
Cogdill	Houston	Maze	Spitzer
Cox	Keene	McCarthy	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on amendments offered by Assembly Member Chu to Senate Bill No. 686: Assembly Member Strickland, from “No” to “Aye”.

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. 686 to the Committee on Appropriations.

SENATE BILL NO. 853 (Escutia)—An act to amend Section 1367 of, and to add Sections 1367.04 and 1367.07 to, the Health and Safety Code, and to add Sections 10133.8 and 10133.9 to the Insurance Code, relating to health care coverage.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 810**

At 3:16 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Leslie moved to continue the call of the Assembly.

Motion carried. Time, 3:16 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 906 (Escutia)—An act to amend Section 60622 of, and to add Section 71611.5 to, the Water Code, relating to water.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—48

Berg	Frommer	Liu	Parra
Bermudez	Garcia	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Chan	Hancock	Maldonado	Ridley-Thomas
Chavez	Horton, Jerome	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—30

Aghazarian	Dutton	Leslie	Richman
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

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. 906 to the Committee on Public Employees, Retirement and Social Security.

SENATE BILL NO. 666 (Bowen)—An act to add Section 53121 to the Government Code, relating to telecommunications.

Bill read third time.

Motion to Amend

Assembly Member Nakano moved the adoption of amendments.

Amendments read.

Roll Call Demanded

Assembly Members La Suer, Bogh, and Mountjoy, demanded a roll call.

The roll was called, and the Nakano amendments adopted by the following vote:

AYES—54

Bates	Goldberg	Lowenthal	Reyes
Berg	Hancock	Maldonado	Richman
Bermudez	Horton, Jerome	Mathews	Ridley-Thomas
Calderon	Horton, Shirley	Montanez	Salinas
Chan	Houston	Mullin	Simitian
Chavez	Jackson	Nakano	Steinberg
Chu	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Wyland
Dutra	Levine	Pacheco	Yee
Dymally	Lieber	Parra	Mr. Speaker
Frommer	Liu	Pavley	
Garcia	Longville	Plescia	

NOES—17

Aghazarian	Keene	Maze	Samuelian
Bogh	La Malfa	McCarthy	Strickland
Dutton	La Suer	Mountjoy	
Harman	Leslie	Nakanishi	
Haynes	Maddox	Runner	

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. 666 to the Committee on Natural Resources.

SENATE BILL NO. 644 (Burton)—An act to amend Sections 71000 and 71003 of the Education Code, relating to community colleges.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Bill passed by the following vote:

AYES—50

Berg	Frommer	Lowenthal	Richman
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Spitzer
Chavez	Kehoe	Nakano	Steinberg
Chu	Koretz	Nation	Vargas
Cohn	Laird	Negrete McLeod	Wiggins
Corbett	Leno	Nunez	Wolk
Correa	Levine	Oropeza	Yee
Diaz	Lieber	Parra	Mr. Speaker
Dutra	Liu	Pavley	
Dymally	Longville	Reyes	

NOES—29

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Runner
Benoit	Harman	Maddox	Samuelian
Bogh	Haynes	Maze	Strickland
Campbell	Horton, Shirley	McCarthy	Wyland
Cogdill	Houston	Mountjoy	
Cox	Keene	Nakanishi	
Daucher	La Malfa	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 644: Assembly Member Shirley Horton, from “Aye” to “No”.

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 626 (Committee on Public Employment and Retirement)—An act to amend Sections 7005, 7008, 89529.03, and 89621 of the Education Code, to amend Sections 3517.6, 3517.61, 3572.5, 8544.2, 9322, 9359.83, 14876, 16391.1, 19849.15, 19871, 21450, 21506, 21551, 21635, 21635.5, 21661, 26296.22, 26299.036, 73642, 73952, 74342, 74742, and 75521 of, to add Part 5 (commencing with Section 22750) to Division 5 of Title 2 of, to repeal Sections 21690, 21691, 21692 of, to repeal Part 5 (commencing with Section 22751) of Division 5 of Title 2 of, and to repeal and add Part 6 (commencing with Section 22950) of Division 5 of Title 2 of, the Government Code, to amend Section 124964 of the Health and Safety Code, to amend Section 4856 of the Labor Code, to amend Section 13600 of the Probate Code, to amend Section 35137 of the Public Resources Code, and to amend Sections 130109, 131269, and 140109 of the Public Utilities Code, relating to public employee benefits.

Bill read third time.

Motion to Amend by Assembly Member Negrete McLeod—Set 1

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—48

Berg	Dymally	Lieber	Oropeza
Bermudez	Frommer	Liu	Pavley
Calderon	Garcia	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Maldonado	Salinas
Chavez	Horton, Jerome	Matthews	Simitian
Chu	Jackson	Montanez	Steinberg
Cohn	Kehoe	Mullin	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	Laird	Nation	Wolk
Diaz	Leno	Negrete McLeod	Yee
Dutra	Levine	Nunez	Mr. Speaker

NOES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Harman	Maddox	Samuelian
Benoit	Haynes	Maze	Spitzer
Bogh	Horton, Shirley	McCarthy	Strickland
Campbell	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Motion to Amend by Assembly Member Negrete McLeod—Set 2

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—47

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	

NOES—26

Aghazarian	Horton, Shirley	Maze	Runner
Bates	Houston	McCarthy	Samuelian
Bogh	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Strickland
Garcia	La Suer	Pacheco	Wyland
Harman	Maddox	Plescia	
Haynes	Matthews	Richman	

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 298 (Dunn)—An act to amend Sections 3050 and 3066 of, and to add Section 3065.2 to, the Vehicle Code, relating to vehicles.

Bill read third time.

Motion to Amend

Assembly Member Ridley-Thomas moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—47

Benoit	Dymally	Longville	Pavley
Berg	Frommer	Lowenthal	Reyes
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Correa	Levine	Nunez	Yee
Diaz	Lieber	Oropeza	Mr. Speaker
Dutra	Liu	Parra	

NOES—29

Aghazarian	Garcia	Leslie	Runner
Bates	Harman	Maddox	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland
Cox	Keene	Nakanishi	
Daucher	La Malfa	Pacheco	
Dutton	La Suer	Plescia	

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. 298 to the Committees on Education and Appropriations.

SENATE BILL NO. 705 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Reyes was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 705 was refused passage.

Further Consideration of Senate Bill No. 705

SENATE BILL NO. 705 (Florez)—An act to add Section 41855.5 to the Health and Safety Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Simitian announced his intention to request that Senate Bill No. 217 be removed from the inactive file.

CONSIDERATION OF SUPPLEMENTAL FILE

Speaker pro Tempore Kehoe announced that by leadership agreement, the following bills would be taken up on a Supplemental File:

Assembly Bills Nos. 158, 177, 197, 233, 294, 313, 396, 401, 453, 568, 691, 801, 1028, 1049, 1137, 1286, 1355, 1428, 1438, 1512, 1628, 1669, 1700, and 1770.

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 158 (Runner)—An act to amend Section 11383 of the Health and Safety Code, relating to controlled substances.

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	Liu	Plescia
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	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	
Dutra	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 177 (Oropeza)—An act to amend Sections 9084, 13300, and 14105 of, to add Section 14105.3 to, and to add Chapter 5 (commencing with Section 2300) to Division 2 of, 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—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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 197 (Strickland)—An act to amend Section 12419.10 of the Government Code, relating to offset payments.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 233 (Cogdill)—An act to amend Section 11379.6 of the Health and Safety Code, relating to controlled substances.

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	Liu	Plescias
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	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	
Dutra	Lieber	Pavly	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 294 (Daucher)—An act to add and repeal Article 1.5 (commencing with Section 51705) of Chapter 5 of Part 28 of, and to repeal Section 46300.8 of, the Education Code, relating to schools.

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	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Nation	Wolk
Correa	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	
Diaz	Leslie	Pacheco	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 313 (Dutra)—An act to amend Section 2948.5 of the Civil Code, and to amend Section 50204 of, and to repeal Section 50707 of, the Financial Code, relating to mortgage lending.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 396 (Harman)—An act to repeal and add Article 3 (commencing with Section 1570) of Chapter 5 of Division 2 of, the Fish and Game Code, relating to wildlife.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Aghazarian	Daucher	Lowenthal	Reyes
Bates	Diaz	Maddox	Richman
Benoit	Dutra	Maldonado	Ridley-Thomas
Berg	Dutton	Matthews	Runner
Bermudez	Frommer	Maze	Salinas
Bogh	Garcia	McCarthy	Samuelian
Calderon	Haynes	Mountjoy	Simitian
Campbell	Horton, Jerome	Mullin	Spitzer
Canciamilla	Horton, Shirley	Nakanishi	Strickland
Chavez	Houston	Negrete McLeod	Vargas
Cogdill	Keene	Oropeza	Wiggins
Cohn	La Malfa	Pacheco	Wolk
Correa	La Suer	Parra	Wyland
Cox	Leslie	Plescia	Yee

NOES—12

Corbett	Hancock	Leno	Nation
Dymally	Koretz	Levine	Pavley
Goldberg	Laird	Lieber	Steinberg

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 396: Assembly Members Corbett, Dymally, Laird, Leno, Levine, Lieber, and Steinberg, from “Aye” to “No”; Assembly Members Chu, Liu, and Longville, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 401 (Jerome Horton)—An act to amend Section 19617 of, and to add Section 19605.53 to, the Business and Professions Code, relating to horse racing.

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
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
Chan	Houston	Montanez	Simitian
Chavez	Keene	Mountjoy	Spitzer
Cogdill	Kehoe	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.

ASSEMBLY BILL NO. 453 (Yee)—An act to add Section 5110 to the Public Contract Code, relating to public contracts.

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	Dutra	Lieber	Parra
Bates	Dutton	Liu	Pavley
Benoit	Dymally	Longville	Plescia
Berg	Frommer	Lowenthal	Reyes
Bermudez	Garcia	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	Matthews	Runner
Campbell	Haynes	Maze	Salinas
Canciamilla	Horton, Jerome	McCarthy	Samuelian
Chan	Horton, Shirley	Montanez	Simitian
Chavez	Houston	Mountjoy	Spitzer
Chu	Keene	Mullin	Steinberg
Cogdill	Kehoe	Nakanishi	Strickland
Cohn	La Malfa	Nakano	Vargas
Corbett	La Suer	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Cox	Leno	Nunez	Wyland
Daucher	Leslie	Oropeza	Yee
Diaz	Levine	Pacheco	Mr. Speaker

NOES—None

Above bill ordered enrolled.

**At 3:38 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District presiding**

ASSEMBLY BILL NO. 568 (Goldberg)—An act to amend Section 14006 of the Penal Code, relating to the Community Law Enforcement and Recovery Demonstration Project.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 691, on request of Assembly Member Daucher.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 801 (Diaz)—An act to amend Section 853 of, and to add Article 10.5 (commencing with Section 2198) to Chapter 5 of Division 2 of, the Business and Professions Code, relating to the healing arts.

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	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1028 (Bermudez)—An act to add Section 3073.3 to, and to add and repeal Section 3073.2 of the Labor Code, relating to apprenticeship.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Aghazarian	Frommer	Longville	Plescia
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Montanez	Samuelian
Chavez	Jackson	Mullin	Simitian
Chu	Kehoe	Nakano	Steinberg
Cohn	Koretz	Nation	Strickland
Corbett	Laird	Negrete McLeod	Vargas
Correa	Leno	Nunez	Wiggins
Cox	Levine	Oropeza	Wolk
Diaz	Lieber	Parra	Yee
Dutra	Liu	Pavley	Mr. Speaker

NOES—20

Bates	Dutton	La Malfa	Mountjoy
Benoit	Garcia	La Suer	Nakanishi
Bogh	Haynes	Leslie	Pacheco
Campbell	Houston	Maze	Runner
Cogdill	Keene	McCarthy	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1028: Assembly Member Daucher, from “No” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1049 (Calderon)—An act to amend Section 791.12 of the Insurance Code, relating to underwriting.

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	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Frommer	Liu	Richman
Berg	Garcia	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Runner
Bogh	Hancock	Maddox	Salinas
Calderon	Harman	Maldonado	Samuelian
Campbell	Haynes	Matthews	Simitian
Canciamilla	Horton, Jerome	Maze	Spitzer
Chan	Horton, Shirley	McCarthy	Steinberg
Chavez	Houston	Montanez	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	Pavley	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1137 (Reyes)—An act to amend Sections 44579.1, 44579.2, 44579.5, 47604, 47607, 47612.5, 47613, 47634, 60242, and 60421 of, to amend and repeal Sections 14002.3 and 47612 of and, to add Sections 47604.32, and 47604.33 to, the Education Code, relating to charter schools, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—71

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakanishi	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	Koretz	Nation	Wolk
Cox	Laird	Negrete McLeod	Wyland
Daucher	Leno	Nunez	Yee
Diaz	Leslie	Oropeza	Mr. Speaker
Dutra	Levine	Pacheco	

NOES—4

Campbell	Haynes	La Malfa	La Suer
----------	--------	----------	---------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1137: Assembly Member La Malfa, from “Aye” to “No”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1286 (Frommer)—An act to repeal and add Sections 1373.65, 1373.95, and 1373.96 of the Health and Safety Code, and to amend Section 10133.56 of the Insurance Code, relating to health care coverage.

Bill presented by Assembly Member Chan.

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	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Horton, Jerome	Matthews	Salinas
Canciamilla	Horton, Shirley	Maze	Samuelian
Chan	Houston	McCarthy	Simitian
Chavez	Jackson	Montanez	Spitzer
Chu	Keene	Mullin	Steinberg
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1355 (Wiggins)—An act to amend Sections 273, 506, 645, 646, 687, 688, 1547, 1780, 1938, 3359, 3369, 3376, 14256, 16201, and 16901 of, to add Section 216.3 to, and to repeal Section 14210 of, the Financial Code, relating to financial institutions.

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	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Suer	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—3

Campbell	Haynes	La Malfa
----------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1355: Assembly Member La Malfa, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1428 (Levine)—An act to amend Section 20092 of the Government Code, relating to the Public Employees' Retirement System.

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
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	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	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Wyland
Diaz	Leslie	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

NOES—3

Campbell	Haynes	La Suer
----------	--------	---------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1438 (Longville)—An act to add Section 1536.5 to the Penal Code, relating to business records.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1438: Assembly Member La Suer, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1512 (Cohn)—An act to amend and renumber Section 8820 of, and to add Chapter 5.1 (commencing with Section 8820) to Part 6 of, the Education Code, relating to arts 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—74

Aghazarian	Dutra	Lieber	Plescia
Bates	Dutton	Liu	Reyes
Benoit	Dymally	Longville	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	Maddox	Runner
Bogh	Goldberg	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	McCarthy	Simitian
Canciamilla	Horton, Jerome	Montanez	Spitzer
Chan	Horton, Shirley	Mullin	Steinberg
Chavez	Houston	Nakanishi	Strickland
Chu	Jackson	Nakano	Vargas
Cogdill	Keene	Nation	Wiggins
Cohn	Kehoe	Negrete McLeod	Wolk
Corbett	Koretz	Nunez	Wyland
Correa	Laird	Oropeza	Yee
Cox	Leno	Pacheco	Mr. Speaker
Daucher	Leslie	Parra	
Diaz	Levine	Pavley	

NOES—5

Haynes	La Suer	Mountjoy
La Malfa	Maze	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1628 (Frommer)—An act to amend Section 1371.4 of, and to add Section 1262.8 to, the Health and Safety Code, relating to health care.

Bill presented by Assembly Member Chan.

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	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
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. 1700 (Laird)—An act to add Section 25353.5 to the Health and Safety Code, and to add Section 13177.7 to the Water Code, relating to hazardous substances, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Horton; Jerome	Maze	Samuelian
Canciamilla	Horton; Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

(NOTE: Later this day, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1700 and whereby the bill was ordered enrolled. See page 3669.)

ASSEMBLY BILL NO. 1770 (Committee on Water, Parks and Wildlife)—An act to amend Sections 206, 207, 208, 857, 1590, 1591, 2003, 2250, and 8282 of, to add Sections 6950.5, 6951, and 6957 to, and to repeal Article 3 (commencing with Section 6430) of Chapter 5 of, the Fish and Game Code, and to amend Sections 538, 5001.4, 5001.65, 5003.1, 5019.50, 5019.56, 5019.80, 36602, 36620, 36700, 36710, and 36725 of, and to add Section 36711 to, the Public Resources Code, and to amend Section 9 of Chapter 517 of the Statutes of 2002, relating to resources, and making an appropriation therefor.

Bill presented by Assembly Member Canciamilla.

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	Liu	Pavley
Bates	Dutton	Longville	Plescia
Benoit	Dymally	Lowenthal	Reyes
Berg	Frommer	Maddox	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Hancock	Maze	Salinas
Campbell	Harman	McCarthy	Samuelian
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Horton, Shirley	Mountjoy	Spitzer
Chavez	Houston	Mullin	Steinberg
Chu	Jackson	Nakanishi	Strickland
Cogdill	Keene	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Wyland
Cox	Leslie	Oropeza	Yee
Daucher	Levine	Pacheco	Mr. Speaker
Diaz	Lieber	Parra	

NOES—3

Haynes	Koretz	La Malfa
--------	--------	----------

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1770: Assembly Members Koretz, and La Malfa, from “Aye” to “No”.

Above bill ordered enrolled.

At 3:51 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

RULES TEMPORARILY SUSPENDED

Assembly Member Chan was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bills Nos. 1058, 359, 591, 261, 78, 842, 620, and 256; and Senate Concurrent Resolution No. 48.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 1058 (Torlakson)—An act to add and repeal Section 60227 to the Education Code, relating to instructional materials, and making an appropriation therefor.

(NOTE: Later this day, the action was rescinded and the record expunged whereby a roll call vote was taken on Senate Bill No. 1058. See page 3647.)

SENATE BILL NO. 359 (Figueroa)—An act to amend Section 810 of the Business and Professions Code, relating to professions and vocations.

Bill read third time, and presented by Assembly Member Matthews.

Bill passed 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

Bill ordered transmitted to the Senate.

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, and presented by Assembly Member Wolk.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—1

Dymally

Bill ordered transmitted to the Senate.

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Senate Bill No. 591

September 9, 2003

*Mr. Dotson Wilson
Chief Clerk
California Assembly
State Capitol
Sacramento, California*

Dear Mr. Clerk,

I inadvertently pressed the No(Red) button instead of the Yes(Green) button on the roll call for SB 591 (Scott). It was my intention to vote yes on the measure. I request that this letter be printed in the journal to explain my vote.

Sincerely,

MERVYN M. DYMALLY, Assembly Member
Fifty-second District

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 78 (Torlakson)—An act to amend Sections 33350 and 60800 of, and to amend, repeal, and add Section 51241 of, the Education Code, relating to physical education.

Bill read third time, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Levine	Pacheco
Bates	Dymally	Lieber	Parra
Benoit	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Oropeza	Mr. Speaker

NOES—2

Campbell Haynes

Bill ordered transmitted to the Senate.

SENATE BILL NO. 842 (Karnette)—An act to add Section 60061.8 to the Education Code, relating to instructional materials.

Bill read third time, and presented by Assembly Member Goldberg.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Levine	Pacheco
Bates	Dymally	Lieber	Parra
Benoit	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Oropeza	Mr. Speaker

NOES—2

Campbell Haynes

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 48 (Hollingsworth)—Relative to Myositis Awareness Day.

Resolution read, presented by Assembly Member Lieber, and adopted by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—1

Goldberg

Resolution ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 810**

At 4:01 p.m., on motion of Assembly Member Leslie, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 810 passed by the following vote:

AYES—44

Berg	Frommer	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Canciamilla	Horton, Jerome	Montanez	Salinas
Chan	Jackson	Mullin	Simitian
Chu	Kehoe	Nakano	Steinberg
Cohn	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—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	

**Motion to Reconsider Senate Bill No. 810
on Next Legislative Day**

Assembly Member Leslie moved to reconsider on the next legislative day the vote whereby Senate Bill No. 810 was this day passed.

Senate Bill No. 810 ordered to the unfinished business file.

CAUCUS ANNOUNCEMENTS

At 4:09 p.m., Assembly Member Cox was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 4:10 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 4:24 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ORDERS OF THE DAY DEMANDED

Assembly Member Cox demanded the Orders of the Day.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 1056 (Committee on Budget and Fiscal Review)—An act relating to administration of state government.

Bill read third time.

Motion to Amend

Assembly Member Wiggins moved the adoption of amendments.

Amendments read and adopted 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	Plescia
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 reprinted and to be returned to the third reading file.

SENATE BILL NO. 772 (Bowen)—An act to amend Section 25322 of the Public Resources Code, relating to the State Energy Resources Conservation and Development Commission.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—40

Berg	Frommer	Lieber	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Canciamilla	Hancock	Montanez	Salinas
Chan	Horton, Jerome	Mullin	Simitian
Chavez	Jackson	Nakano	Steinberg
Chu	Kehoe	Nation	Vargas
Corbett	Koretz	Nunez	Wiggins
Correa	Laird	Oropeza	Wolk
Dutra	Leno	Parra	Yee
Dymally	Levine	Pavley	Mr. Speaker

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

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. 772 to the Committee on Utilities and Commerce.

SENATE BILL NO. 1004 (Soto)—An act to amend Section 13271 of, and to add Chapter 8.5 (commencing with Section 13610) to Division 7 of, the Water Code, relating to perchlorate.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—30

Aghazarian	Garcia	Leslie	Richman
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Correa	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Dutton	La Suer	Plescia	

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. 1004 to the Committee on Water, Parks and Wildlife.

SENATE BILL NO. 328 (Committee on Judiciary)—An act to amend Sections 15807, 15808.1, 15812, 15815, 15862, 70303, 70355, 70356, 70357, 70358, 70362, 70366, 70367, 70373, 70373.5, 70374, 70375, 70392, 70402, and 76000 of, to add Section 70379 to, and to repeal Section 70046.2 of, the Government Code, and to amend Section 42007 of the Vehicle Code, relating to court facilities, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Calderon moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—47

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	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
Dymally	Lieber	Parra	

NOES—31

Aghazarian	Daucher	Leslie	Plescia
Bates	Dutton	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Canciamilla	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 631 (McPherson)—An act to amend Section 13903 of the Government Code, and to amend Sections 1202.4, 1202.45, 1214, 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

Assembly Member Wyland moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

PARLIAMENTARY INQUIRY

Assembly Member Strickland arose to the following parliamentary inquiry:

Can the House return to Motions and Resolutions after the Orders of the Day have been demanded?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that the House may return to Motions and Resolutions in the absence of objection.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 973 (Machado)—An act to amend Section 12102 of the Public Contract Code, relating to public contracts.

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. 261 (Speier)—An act to amend Section 1375.4 of, and to add Sections 1375.9, 1375.10, 1375.11, and 1375.12 to, the Health and Safety Code, relating to health care service plans.

Bill read third time, and presented by Assembly Member Cohn.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Canciamilla	Horton, Shirley	Maze	Salinas
Chan	Houston	McCarthy	Samuelian
Chavez	Jackson	Montanez	Simitian
Chu	Keene	Mountjoy	Spitzer
Cogdill	Kehoe	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—2

Campbell Haynes

Bill ordered transmitted to the Senate.

SENATE BILL NO. 269 (Soto)—An act to add Section 22212.5 to the Education Code, and to amend Section 20098 of the Government Code, relating to public employees' retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Laird moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 411 (Ducheny)—An act to add Section 79568.1 to the Water Code, relating to public resources.

Bill read third time.

Motion to Amend by Assembly Member Jerome Horton—Set 1

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—51

Berg	Frommer	Liu	Parra
Bermudez	Garcia	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maddox	Ridley-Thomas
Chan	Horton, Jerome	Maldonado	Salinas
Chavez	Horton, Shirley	Matthews	Simitian
Chu	Jackson	Montanez	Steinberg
Cohn	Kehoe	Mullin	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	Laird	Nation	Wolk
Diaz	Leno	Negrete McLeod	Yee
Dutra	Levine	Nunez	Mr. Speaker
Dymally	Lieber	Oropeza	

NOES—27

Aghazarian	Daucher	Leslie	Richman
Bates	Dutton	Maze	Runner
Benoit	Harman	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Spitzer
Campbell	Houston	Nakanishi	Strickland
Cogdill	Keene	Pacheco	Wyland
Cox	La Malfa	Plescia	

(NOTE: Later this day, the action was rescinded whereby the above amendments to Senate Bill No. 411—Set 1 were read a third time, and adopted. See page 3647.)

Motion to Amend by Assembly Member Jerome Horton—Set 2

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—50

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maddox	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Horton, Shirley	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	

NOES—28

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Maze	Runner
Campbell	Houston	McCarthy	Samuelian
Cogdill	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Wyland

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. 411 to the Committee on Governmental Organization.

SENATE BILL NO. 879 (Margett)—An act to amend Section 290 of the Penal Code, relating to child pornography.

Bill read third time.

Motion to Amend

Assembly Member La Suer moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—75

Aghazarian	Dutra	Lieber	Parra
Bates	Dutton	Liu	Pavley
Benoit	Dymally	Longville	Plescia
Berg	Frommer	Lowenthal	Reyes
Bermudez	Garcia	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Calderon	Haynes	Matthews	Runner
Campbell	Horton, Jerome	Maze	Salinas
Canciamilla	Horton, Shirley	McCarthy	Samuelian
Chan	Houston	Montanez	Simitian
Chavez	Jackson	Mountjoy	Spitzer
Chu	Keene	Mullin	Steinberg
Cogdill	Koretz	Nakanishi	Strickland
Cohn	La Malfa	Nakano	Vargas
Corbett	La Suer	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Cox	Leno	Nunez	Wyland
Daucher	Leslie	Oropeza	Yee
Diaz	Levine	Pacheco	

NOES—None

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 1009 (Alpert)—An act to amend Sections 6487 and 7101 of, and to add Sections 6452.1, 6487.3, and 18510 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—32

Aghazarian	Daucher	La Malfa	Nakanishi
Bates	Dutton	La Suer	Pacheco
Benoit	Garcia	Leslie	Plescia
Bogh	Harman	Maddox	Richman
Campbell	Haynes	Maldonado	Runner
Cogdill	Horton, Shirley	Maze	Samuelian
Correa	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Wyland

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. 1009 to the Committee on Revenue and Taxation.

SENATE BILL NO. 966 (Alarcon)—An act to amend Section 1726 of, and to add Section 1781 to, the Labor Code, relating to prevailing wages.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

REQUEST TO RETURN TO MOTIONS AND RESOLUTIONS

Assembly Member Chan requested unanimous consent to return to Motions and Resolutions.

Assembly Member Cogdill withheld unanimous consent.

Motion

Assembly Member Chan moved that the House return to Motions and Resolutions.

Assembly Member Goldberg seconded the motion.

Motion carried 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	Plescia
Benoit	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Chan requested unanimous consent for the following actions:

Senate Bill No. 1058, that the action be rescinded and the record expunged whereby earlier this day, a roll call vote was taken;

Senate Bill No. 411, that the action be rescinded whereby earlier this day, the bill was read a third time, Set 1 amendments to the bill read and adopted and the bill ordered reprinted;

Senate Bill No. 53, whereby the bill was read a third time and passed on June 3, 2003;

Senate Bill No. 621, that the bill be removed from the Inactive File for purpose of consideration, without reference to file, for purpose of amendments;

Senate Bill No. 362, that the bill be taken up, without reference to file, for purpose of amendment.

Assembly Member Cogdill withheld unanimous consent.

Chan Motion

Assembly Member Chan moved that the following actions be taken:

Senate Bill No. 1058, that the action be rescinded and the record expunged whereby earlier this day, (Assembly Journal, page 3634) a roll call vote was taken;

Senate Bill No. 411, to rescind the action whereby earlier this day, (Assembly Journal, page 3642) the bill was read a third time, and Set 1 amendments to the bill read and adopted;

Senate Bill No. 53, to rescind the action whereby on June 3, 2003 (Assembly Journal, page 2145) the bill was read a third time, passed, and ordered transmitted to the Senate;

Senate Bill No. 621, that Assembly Rule 78 be suspended to permit the bill to be removed from the Inactive File for purpose of consideration, without reference to file, for purpose of amendments;

Senate Bill No. 362, that the bill be taken up, without reference to file, for purpose of amendment.

Assembly Member Goldberg seconded the motion.

Motion carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 69(b) to permit the consideration of amendments to Senate Bills Nos. 814, 364, and 407.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Chan moved that Assembly Rule 69(b) be suspended to permit consideration of amendments to Senate Bills Nos. 814, 364, and 407.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Chan requested unanimous consent to waive Joint Rule 62(a) to permit the Committee on Public Safety to hear Assembly Bill No. 161, on Wednesday, September 10, 2003.

Assembly Member Cogdill withheld unanimous consent.

Motion

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Public Safety to hear Assembly Bill No. 161, on Wednesday, September 10, 2003.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO RESCIND ACTION ON SENATE BILL NO. 274

Assembly Member Chan requested unanimous consent that the action be rescinded whereby earlier this day, Senate Bill No. 274 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted.

Assembly Member Cogdill withheld unanimous consent.

Motion to Rescind Action on Senate Bill No. 274

Assembly Member Chan moved that the action be rescinded whereby earlier this day (Assembly Journal, page 3601), Senate Bill No. 274 was read a third time, amendments to the bill read and adopted, and the bill ordered reprinted.

Assembly Member Goldberg seconded the motion.

Motion carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Chan requested unanimous consent for the following actions:

Senate Bill No. 1049, that the action be rescinded whereby the bill was passed, and that the bill be taken up without reference to file for purpose of amendment;

Senate Bill No. 1054, that the bill be removed from the Inactive File and taken up, without reference to file, for purpose of amendment;

and that the Rules be suspended to permit the House to return on the File to Senate Bill No. 1043 for the purpose of consideration of the motion to reconsider, and for consideration of subsequent amendments.

Assembly Member Cogdill withheld unanimous consent.

Motion by Assembly Member Chan

Assembly Member Chan moved that the following actions be taken:

Senate Bill No. 1049, that the action be rescinded whereby on September 5, 2003 (Assembly Journal, page 3488), the bill was read a third time, passed, and transmitted to the Senate and that the bill be taken up without reference to file for purpose of amendment;

Senate Bill No. 1054, that Assembly Rule 78 be suspended to permit the bill to be removed from the Inactive File and taken up, without reference to file, for purpose of amendment;

and that the Rules be suspended to permit the House to return on the File to Senate Bill No. 1043 for the purpose of consideration of the motion to reconsider, and for consideration of subsequent amendments.

Assembly Member Goldberg seconded the motion.

Motion carried 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—31

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
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	

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 219 (Romero)—An act to amend Section 17004.7 of the Vehicle Code, relating to vehicles.

Bill read third time, and presented by Assembly Member Chavez.

Bill refused passage by the following vote:

AYES—19

Berg	Koretz	Montanez	Simitian
Chavez	Laird	Mullin	Steinberg
Dymally	Leno	Nunez	Yee
Goldberg	Lieber	Oropeza	Mr. Speaker
Jackson	Longville	Ridley-Thomas	

NOES—44

Aghazarian	Daucher	La Suer	Parra
Bates	Diaz	Leslie	Pavley
Benoit	Dutra	Maddox	Plescia
Bermudez	Dutton	Maldonado	Reyes
Bogh	Garcia	Matthews	Richman
Campbell	Harman	Maze	Runner
Canciamilla	Haynes	McCarthy	Samuelian
Cogdill	Horton, Shirley	Mountjoy	Spitzer
Cohn	Houston	Nakanishi	Strickland
Correa	Keene	Nation	Wolk
Cox	La Malfa	Pacheco	Wyland

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 219: Assembly Members Chu and Lowenthal, from “Aye” to “Not Voting”.

**Motion to Reconsider Senate Bill No. 219
on Next Legislative Day**

Assembly Member Chavez moved to reconsider on the next legislative day the vote whereby Senate Bill No. 219 was this day refused passage.

Senate Bill No. 219 ordered to the unfinished business file.

SENATE BILL NO. 364 (Figueroa)—An act to amend Sections 144, 473.3, 2001, 2020, 2099.5, 2153.5, 2220.1, 2531, 3010.1, , 3014.6, 6732, 6732.3, 6732.4, and 7153.1 of the Business and Professions Code, to amend Section 94990 of, and to add Sections 94779.1, 94779.3, and 94779.4 to, the Education Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 407 (Torlakson)—An act to add Section 97.5 to the Revenue and Taxation Code, relating to local government finance.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—41

Berg	Goldberg	Lowenthal	Salinas
Bermudez	Hancock	Matthews	Simitian
Calderon	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nation	Wiggins
Chu	Koretz	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Pavley	
Dymally	Lieber	Reyes	
Frommer	Longville	Ridley-Thomas	

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Canciamilla	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Parra	

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 871 (Burton)—An act to amend Section 39152 of the Health and Safety Code, relating to air quality.

Bill read third time.

Motion to Amend

Assembly Member Houston moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**Re-reference of Bills to Committee Pursuant to
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 871 to the Committees on Transportation and Appropriations.

SENATE BILL NO. 98 (Alpert)—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, 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, and to be returned to the third reading file.

SENATE BILL NO. 420 (Vasconcellos)—An act to add Article 2.5 (commencing with Section 11362.7) to Chapter 6 of Division 10 of the Health and Safety Code, relating to controlled substances.

Bill read third time.

Motion to Amend

Assembly Member Leno moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members La Suer, Bogh, and Benoit, demanded a roll call.
The roll was called, and the Leno amendments adopted by the following vote:

AYES—44

Berg	Frommer	Liu	Plescia
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Pavley	Mr. Speaker

NOES—29

Aghazarian	Garcia	Leslie	Runner
Bates	Harman	Maddox	Samuelian
Benoit	Haynes	Maldonado	Spitzer
Bogh	Horton, Shirley	Maze	Strickland
Campbell	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	
Cox	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

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. 420 to the Committee on Appropriations.

(NOTE: Later this day, the action was rescinded whereby Senate Bill No. 420 was re-referred to the Committee on Appropriations pursuant to Assembly Rule 77.2. See page 3663.)

SENATE BILL NO. 971 (Burton)—An act to add Sections 89500.3, 89500.5, and 89500.7 to the Education Code, relating to the California State University.

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 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, and presented by Assembly Member Chan.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—1

Haynes

Bill ordered transmitted to the Senate.

SENATE BILL NO. 20 (Sher)—An act to add Section 25243 to, and to add Article 1.2 (commencing with Section 25108) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Article 4 (commencing with Section 41516) to Chapter 3.5 of Part 2 of, and Chapter 8.5 (commencing with Section 42460) to Part 3 of, Division 30 of the Public Resources Code, relating to hazardous and solid waste.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—47

Benoit	Frommer	Longville	Pavley
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Matthews	Ridley-Thomas
Calderon	Horton, Jerome	Montanez	Salinas
Canciamilla	Jackson	Mountjoy	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Parra	

NOES—27

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Houston	Maze	Spitzer
Cox	Keene	McCarthy	Strickland
Daucher	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

Bill ordered reprinted and to be returned to the third reading file.

SENATE BILL NO. 930 (Ducheny)—An act to add Section 12012.30 to the Government Code, relating to gaming.

Bill read third time, and presented by Assembly Member Jerome Horton.

Bill passed by the following vote:

AYES—65

Aghazarian	Dymally	Liu	Pavley
Bates	Garcia	Lowenthal	Plescia
Benoit	Hancock	Maddox	Reyes
Berg	Harman	Maldonado	Richman
Bermudez	Horton, Jerome	Matthews	Ridley-Thomas
Bogh	Horton, Shirley	Maze	Simitian
Canciamilla	Houston	Montanez	Spitzer
Chan	Keene	Mountjoy	Steinberg
Chu	Kehoe	Mullin	Strickland
Cohn	Koretz	Nakanishi	Vargas
Corbett	La Malfa	Nakano	Wolk
Correa	La Suer	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Nunez	Mr. Speaker
Diaz	Leslie	Oropeza	
Dutra	Levine	Pacheco	
Dutton	Lieber	Parra	

NOES—1

Campbell

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 930: Assembly Member Salinas, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 692 (Kuehl)—An act to amend Sections 853, 7360, 7361, 7362, and 7363 of, and to repeal Section 7360.1 of, the Fish and Game Code, relating to the Department of Fish and Game, and making an appropriation therefor.

**At 6:02 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

Bill read third time, and presented by Assembly Member Canciamilla.

Bill passed by the following vote:

AYES—50

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Montanez	Simitian
Chavez	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maddox	Samuelian
Benoit	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Campbell	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Correa	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE CONCURRENT RESOLUTION NO. 6 (Battin)—Relative to California Hispanic Heritage Month.

Resolution read, and presented by Assembly Member Garcia.

Members Made Coauthors of Senate Concurrent Resolution No. 6

Assembly Member Garcia was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 6.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Garcia was granted unanimous consent to take up Senate Concurrent Resolution No. 6, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 6, as Amended
SENATE CONCURRENT RESOLUTION NO. 6—Relative to California Hispanic Heritage Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY RULE 69(a) INVOKED

Assembly Member Chan announced that Assembly Rule 69(a) would be invoked for the purpose of adding Assembly Member Pavley and Senator Battin as co-authors to Senate Bill No. 654; and Assembly Members Garcia and Pavley and Senator Battin as co-authors to Senate Bill No. 317.

CONSIDERATION OF SENATE BILL NO. 277 BY UNANIMOUS CONSENT

Assembly Member Kehoe was granted unanimous consent to take up Senate Bill No. 277 without reference to file, for purpose of consideration.

SENATE BILL NO. 277 (Ducheny)—An act to add Chapter 13 (commencing with Section 2930) to Division 3 of the Fish and Game Code, and to amend Section 9 of Chapter 617 of the Statutes of 2002, relating to water, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Kehoe.

Bill passed 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

Bill ordered transmitted to the Senate immediately.

CONSIDERATION OF SENATE BILL NO. 317 BY UNANIMOUS CONSENT

Assembly Member Canciamilla was granted unanimous consent to take up Senate Bill No. 317 without reference to file, for purpose of consideration.

SENATE BILL NO. 317 (Kuehl)—An act to amend Section 2081.7 of the Fish and Game Code and to amend Section 1013 of, the Water Code, relating to the resources, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Canciamilla.

Bill passed 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

Bill ordered transmitted to the Senate immediately.

CONSIDERATION OF SENATE BILL NO. 654 BY UNANIMOUS CONSENT

Assembly Member Pavley was granted unanimous consent to take up Senate Bill No. 654 without reference to file, for purpose of consideration.

SENATE BILL NO. 654 (Machado)—An act to amend Section 12562 of the Water Code, and to amend Section 1 of Chapter 617 of the Statutes of 2002, relating to water, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Pavley.

Bill passed 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	Mathews	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

Bill ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Education, on Wednesday, September 10, 2003;

Elections, Redistricting and Constitutional Amendments, on Thursday, September 11, 2003, at 10 a.m.;

Governmental Organization, on Wednesday, September 10, 2003;

Labor and Employment, on Wednesday, September 10, 2003, at 10 a.m., in Room 447;

Natural Resources, on Wednesday, September 10, 2003;

Public Employees, Retirement and Social Security, on Wednesday, September 10, 2003, at 9 a.m., in Room 447;

Revenue and Taxation, on Wednesday, September 10, 2003, at 9 a.m., in Room 126;

Public Safety, on Wednesday, September 10, 2003, at 10 a.m.;

Utilities and Commerce, on Wednesday, September 10, 2003;

Water, Parks and Wildlife, on Tuesday, September 9, 2003.

REQUEST TO RETURN TO MOTIONS AND RESOLUTIONS

Assembly Member Chan requested unanimous consent to return to Motions and Resolutions.

Assembly Member Cogdill withheld unanimous consent.

Motion

Assembly Member Chan moved that the House return to Motions and Resolutions.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Houston	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

NOES—30

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 69(b) to permit consideration of proposed amendments to Senate Bill No. 1041.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Chan moved that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1041.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—45

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Vargas
Chavez	Jackson	Mullin	Wiggins
Chu	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Yee
Corbett	Laird	Nunez	Mr. Speaker
Correa	Leno	Oropeza	
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	

NOES—32

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	Montanez	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 69(b) to permit consideration of proposed amendments to Senate Bill No. 1052.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Chan moved that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1052.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO SUSPEND ASSEMBLY RULE 69(b)

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 69(b) to permit consideration of proposed amendments to Senate Bill No. 1058.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 69(b)

Assembly Member Chan moved that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Senate Bill No. 1058.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	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	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	

**REQUEST TO REMOVE SENATE BILL NO. 178 FROM INACTIVE FILE
AND SUSPEND ASSEMBLY RULE 69(b)**

Assembly Member Chan requested unanimous consent that Senate Bill No. 178 be removed from the Inactive File and that Assembly Rule 69(b) be suspended for purpose of consideration of proposed amendments.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Rules

Assembly Member Chan moved that Assembly Rule 78 be suspended to permit Senate Bill No. 178 to be removed from the Inactive File and that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO RESCIND ACTION ON SENATE BILL NO. 420

Assembly Member Chan requested unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3653), Senate Bill No. 420 was re-referred to the Committee on Appropriations pursuant to Assembly Rule 77.2.

Assembly Member Cogdill withheld unanimous consent.

Motion to Rescind Action on Senate Bill No. 420

Assembly Member Chan moved that the action be rescinded whereby Senate Bill No. 420 was re-referred to the Committee on Appropriations pursuant to Assembly Rule 77.2.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO WAIVE JOINT RULE 62(a)

Assembly Member Chan requested unanimous consent to waive Joint Rule 62(a) to permit committees to meet.

Assembly Member Cogdill withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the following committees to meet:

Water, Parks and Wildlife to meet today, upon adjournment of Floor session, to hear Senate Bill No. 1004;

Labor and Employment to meet on Wednesday, September 10, 2003, at 10 a.m., in Room 447, to hear Senate Bill No. 360;

Revenue and Taxation to meet on Wednesday, September 10, 2003, at 9 a.m., in Room 126, to hear Senate Bills Nos. 103, 808, 1009, and 1064;

Education to meet on Wednesday, September 10, 2003, at 9:30 a.m., in Room 4202, to hear Assembly Bill No. 163 and Senate Bill No. 298;

Utilities and Commerce to meet on Wednesday, September 10, 2003, at 9:30 a.m., in Room 437, to hear Assembly Bill No. 1685 and Senate Bill No. 772;

Elections, Redistricting, and Constitutional Amendments, to meet on Thursday, September 11, 2003, at 10 a.m., in Room 444, to hear Senate Bill No. 530;

Public Employees, Retirement and Social Security, to meet on Wednesday, September 10, 2003, to hear Senate Bills Nos. 53, 906, 269, and 1056;

Governmental Organization to meet on Wednesday, September 10, during recess or upon adjournment, to hear Assembly Bill No. 900 and Senate Bills Nos. 411 and 621;

Natural Resources to meet on Wednesday, September 10, 2003, in Room 444, to hear Senate Bill No. 666.

Assembly Member Goldberg seconded the motion.

Motion carried 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	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 626, on request of Assembly Member Chan.

RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following bills to committees as noted:

Senate Bill No. 269, to the Committees on Public Employees, Retirement and Social Security and Appropriations;

Senate Bill No. 1056, to the Committees on Public Employees, Retirement and Social Security and Appropriations;

Senate Bill No. 407, to the Committee on Appropriations.

SENATE BILL NO. 1043 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Oropeza was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 1043 was refused adoption.

Further Consideration of Senate Bill No. 1043

SENATE BILL NO. 1043 (Committee on Budget and Fiscal Review)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, 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, and to be returned to the third reading file.

CONSIDERATION OF SENATE BILL NO. 621 WITHOUT REFERENCE TO FILE

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 621 was taken up, without reference to file.

SENATE BILL NO. 621 (Burton)—An act to amend Section 23104.2 of the Business and Professions Code, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—70

Aghazarian	Dymally	Liu	Reyes
Bates	Frommer	Longville	Richman
Benoit	Garcia	Lowenthal	Ridley-Thomas
Berg	Goldberg	Maddox	Runner
Bermudez	Hancock	Maldonado	Salinas
Bogh	Haynes	Matthews	Samuelian
Calderon	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mullin	Steinberg
Chu	Jackson	Nakano	Strickland
Cohn	Keene	Nation	Vargas
Corbett	Kehoe	Negrete McLeod	Wiggins
Correa	Koretz	Nunez	Wolk
Cox	La Malfa	Oropeza	Wyland
Daucher	Laird	Pacheco	Yee
Diaz	Leno	Parra	Mr. Speaker
Dutra	Levine	Pavley	
Dutton	Lieber	Plescia	

NOES—None

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. 621 to the Committees on Governmental Organization and Appropriations.

CONSIDERATION OF SENATE BILL NO. 178 WITHOUT REFERENCE TO FILE

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 178 was taken up, without reference to file.

SENATE BILL NO. 178 (Cedillo)—An act to amend Section 1954.53 of the Civil Code, relating to rent control.

Bill read third time.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments.

Amendments read and adopted by the following vote.

AYES—44

Berg	Frommer	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Jackson	Montanez	Simitian
Chu	Kehoe	Mullin	Steinberg
Cohn	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—29

Aghazarian	Harman	Maddox	Runner
Bates	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	
Dutton	La Suer	Plescia	
Garcia	Leslie	Richman	

Bill ordered reprinted and to be returned to the third reading file.

ACTION RESCINDED ON SENATE BILL NO. 294

Assembly Member Correa was granted unanimous consent to rescind the action whereby the Assembly, on September 3, 2003 (Assembly Journal, page 3374), passed Senate Bill No. 294, and whereby the bill was ordered transmitted to the Senate.

Consideration of Senate Bill No. 294 by Unanimous Consent

Assembly Member Correa was granted unanimous consent to take up Senate Bill No. 294 without reference to file, for purpose of amendment.

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.

CONSIDERATION OF SENATE BILL NO. 362 WITHOUT REFERENCE TO FILE

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 362 was taken up, without reference to file.

SENATE BILL NO. 362 (Figueroa)—An act to amend Sections 1616.5, 1742, 1765, and 1775 of, and to amend and repeal Section 1601.1 of the Business and Professions Code, to amend Section 830.3 of the Penal Code, and to repeal Sections 3 and 4 of Chapter 859 of the Statutes of 2001, relating to dental professionals.

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.

**CONSIDERATION OF SENATE BILL NO. 1049 WITHOUT
REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 1049 was taken up, without reference to file.

SENATE BILL NO. 1049 (Committee on Budget and Fiscal Review)—An act to amend Sections 1103 and 1103.2 of the Civil Code, to amend Sections 714, 2536, 2540, 3031, 3031.2, 4654, 6596, 6596.1, 7145, 7147, 7149, 7149.05, 7149.2, 7149.8, 7360, 7360.1, 7361, 7363, 7380, 7852, 7881, 7921, 8032, 8033, 8033.2, 8033.5, 8034, 8035, 8036, 13005, 15101, and 15103 of, to amend the heading of Article 4 (commencing with Section 7360) of Chapter 2 of Part 2 of Division 6 of, to add Section 8039 to, and to repeal Sections 7149.1, 7149.15, 7362, 7852.21, 7852.3, and 7921.5 of, the Fish and Game Code, and to amend Sections 11502.5, 11703, 11704, 11707, 11903, 11904, 12021, 12103, 12104, 12105, 12201, 12202, 12252, 12401, 12404, 12818, 12841, 12841.1, and 14152 of, to add Section 12841.2 to, to repeal Sections 11515 and 11516 of, and to repeal and add Section 12812 of, the Food and Agricultural Code, to amend Section 8589.4 of, and to add Section 8589.5 to, the Government Code, to amend Sections 12975.7 and 12975.8 of, and to add and repeal Section 10089.45 of, the Insurance Code, to amend Section 25534 of, to add Section 25806 to, and to add Article 3.5 (commencing with Section 4138) to Chapter 1 of Part 2 of Division 4 of, the Public Resources Code, to amend Sections 1025.5, 1052, 1228.3, 1845, 2850, 5006, 5107, 6307, 6308, 6309, 13160.1, and 79505.5 of, to add Sections 1031, 2865, and 2868 to, to repeal Sections 1228.8 and 6308.5 of, and to repeal and add Chapter 8 (commencing with Section 1525) of Part 2 of Division 2 of, the Water Code, and to amend Section 1 of Chapter 240 of the Statutes of 2003 relating to resources, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.
Amendments read and adopted by the following vote:

AYES—42

Berg	Hancock	Lowenthal	Ridley-Thomas
Bermudez	Horton, Jerome	Matthews	Salinas
Calderon	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker
Frommer	Liu	Pavley	
Goldberg	Longville	Reyes	

NOES—28

Aghazarian	Dutton	La Malfa	Nakanishi
Bates	Garcia	La Suer	Pacheco
Bogh	Harman	Leslie	Plescia
Campbell	Haynes	Maddox	Samuelian
Cogdill	Horton, Shirley	Maze	Spitzer
Cox	Houston	McCarthy	Strickland
Daucher	Keene	Mountjoy	Wyland

Bill ordered reprinted and to be returned to the third reading file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 460 to the Committee on Transportation.

ACTION RESCINDED ON ASSEMBLY BILL NO. 1700

Speaker pro Tempore Kehoe was granted unanimous consent to rescind the action whereby the Assembly earlier this day (Assembly Journal, page 3633), concurred in Senate amendments to Assembly Bill No. 1700, and whereby the bill was 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 Assembly Bill No. 1700 to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 577 (Jerome Horton)—An act to add Section 18941 to the Government Code, relating to civil service.

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	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Cogdill	Jackson	Mullin	Steinberg
Cohn	Keene	Nakanishi	Strickland
Corbett	Kehoe	Nakano	Vargas
Correa	Koretz	Nation	Wiggins
Cox	La Malfa	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—6

Campbell	La Suer	Mountjoy
Haynes	Maze	Spitzer

Above bill ordered enrolled.

ASSEMBLY BILL NO. 85 (Wiggins)—An act to amend Section 31640.5 of the Government Code, relating to county employees' retirement.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—57

Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Salinas
Bogh	Hancock	Maldonado	Samuelian
Calderon	Horton, Jerome	Matthews	Simitian
Canciamilla	Horton, Shirley	Montanez	Spitzer
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Strickland
Chu	Koretz	Nation	Vargas
Cohn	La Suer	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker
Dutton	Lieber	Pavley	
Dymally	Liu	Plescia	
Frommer	Longville	Reyes	

NOES—21

Aghazarian	Daucher	Leslie	Richman
Bates	Harman	Maze	Runner
Benoit	Haynes	McCarthy	Wyland
Campbell	Houston	Mountjoy	
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 85: Assembly Member Strickland, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 190 (Levine)—An act to amend Section 14310 of 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	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Mathews	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	
Dymally	Liu	Pavley	

NOES—33

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Canciamilla	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1679 (Committee on Elections, Redistricting and Constitutional Amendments)—An act to amend Sections 13, 302, 321, 1303, 2187, 2194, 4101, 6086, 6201, 10405, 10411, 14105, 15641, 17502, 17503, and 19005 of, and to repeal Sections 6022, 6083, 6084, 6085, 6202, 6203, and 6204 of, the Elections Code, relating to elections.

Bill presented by Assembly Member Longville.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—73

Aghazarian	Garcia	Longville	Plescia
Bates	Goldberg	Lowenthal	Reyes
Berg	Hancock	Maddox	Richman
Bermudez	Harman	Maldonado	Ridley-Thomas
Bogh	Haynes	Matthews	Runner
Calderon	Horton, Jerome	Maze	Salinas
Canciamilla	Horton, Shirley	McCarthy	Samuelian
Chan	Houston	Montanez	Simitian
Chavez	Jackson	Mountjoy	Spitzer
Chu	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	Leslie	Oropeza	Mr. Speaker
Dutton	Levine	Pacheco	
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	

NOES—None

Above bill ordered enrolled.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Senate Bills Nos. 458, 197, and 118, on request of Assembly Member Chan;

Senate Bill No. 430, on request of Assembly Member Longville.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 100 CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bill No. 100 was continued until the next legislative day.

SENATE BILL NO. 1041 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Steinberg was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 1041 was refused adoption.

Further Consideration of Senate Bill No. 1041

SENATE BILL NO. 1041 (Committee on Budget and Fiscal Review)—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Levine moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 138 (Nakano)—Relative to Prostate Cancer Awareness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 138**

Assembly Member Nakano was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 138.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Daucher, Diaz, Dutra, Dutton, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Nakano was granted unanimous consent to take up Assembly Concurrent Resolution No. 138, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 138, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 138—Relative to Prostate Cancer Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 419 and 1740; and Senate Bills Nos. 1072 and 9 were continued until the next legislative day.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1052 (Committee on Budget and Fiscal Review)—An act relating to transportation.

Bill read third time.

Motion to Amend

Assembly Member Levine moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1055 (Committee on Budget and Fiscal Review)—An act relating to the Department of Corrections.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1058 (Torlakson)—An act to add and repeal Section 60227 to the Education Code, relating to instructional materials, and making an appropriation therefore.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

FURTHER CONSIDERATION OF SENATE BILL NO. 274

SENATE BILL NO. 274 (Soto)—An act to add Article 11.5 (commencing with Section 31770) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to public employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

CONSIDERATION OF SENATE BILL NO. 53 WITHOUT REFERENCE TO FILE

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 53 was taken up, without reference to file.

SENATE BILL NO. 53 (Chesbro)—An act for the support of the government of the State of California and for several public purposes.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 53 to the Committees on Public Employees, Retirement and Social Security and Appropriations.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 278 (Ducheny)—An act to amend Section 3041 of, and to add Title 2.5 (commencing with Section 3550) to Part 3 of, the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

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. 403 (Flores)—An act to amend Sections 11270, 13400, 13401, 13402, 13403, 13405, and 13406 of, and to add Chapter 5.5 (commencing with Section 11531) to Part 1 of, and to add Chapter 3.5 (commencing with Section 13343) to Part 3 of, Division 3 of Title 2 of, the Government Code, and to amend Sections 12101, 12102, and 12103 of, and to repeal Section 12105 of, the Public Contract Code, relating to information technology.

Bill read third time.

Motion to Amend

Assembly Member Diaz moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1005 (Dunn)—An act to amend Sections 1279, 1280, 1280.1, and 1280.2 of, to add Section 1279.1 to, and to add an article heading immediately preceding Section 1277 of, the Health and Safety Code, relating to health facilities.

Bill read third time, and presented by Assembly Member Steinberg.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 7:46 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 556 (Sher)—An act to amend, add, and repeal Section 52124 of the Education Code, relating to class size, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Liu moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 814 (Vincent)—An act to amend Sections 19801, 19876, 19962, and 19963 of the Business and Professions Code, relating to gambling.

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.

**CONSIDERATION OF SENATE BILL NO. 1054 WITHOUT
REFERENCE TO FILE**

Pursuant to the motion by Assembly Member Chan and a roll call vote taken earlier this day, Senate Bill No. 1054 was taken up, without reference to file.

SENATE BILL NO. 1054 (Committee on Budget and Fiscal Review)—An act relating to juveniles.

Bill read third time.

Motion to Amend

Assembly Member Oropeza moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—45

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—30

Aghazarian	Dutton	La Suer	Plescia
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 reprinted and to be returned to the third reading file.

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. 512 (Bates)—An act to amend Sections 1363, 1363.6, 1368, and 1373 of, to add Sections 1350.5 and 1350.7 to, to add Article 4 (commencing with Section 1357.100) to, and to add chapter and article headings to Title 6 (commencing with Section 1350) of Part 4 of Division 2 of, the Civil Code, relating to common interest developments.

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. 608 (Daucher)—An act to amend Section 11591 of the Health and Safety Code, and to amend Sections 291 and 291.1 of the Penal Code, relating to crimes.

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. 616 (Vargas)—An act to add Section 22854.5 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. 991 (Negrete McLeod)—An act to add Section 13514.1 to the Penal Code, relating to peace officer training.

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. 1036 (Mullin)—An act to amend Sections 987.65, 987.71, 987.775, and 988.4 of the Military and Veterans Code, relating to veterans, and making an appropriation therefor.

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. 1649 (Simitian)—An act to amend Sections 56836.16 and 56836.17 of, and to add Section 56836.175 to, the Education Code, relating to special education.

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. 1777 (Committee on Business and Professions)—An act to amend Sections 2475.3, 2481, 2483, 2878.5, 3732, 3750, 3750.6, 3760, 3761, 3775, 3775.2, 3777, and 4521 of, to add Sections 3775.6 and 3778 to, and to repeal Sections 3714, 3721, 3733, 3736.5, 3737, and 3751.1 of, the Business and Professions Code, relating to healing arts.

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. 1783 (Committee on Higher Education)—An act to amend Section 66753 of, and to repeal Section 66756 of, the Education Code, relating to public postsecondary education.

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.)*

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—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**MOTION TO TAKE UP MOTION TO RECONSIDER VOTE IMMEDIATELY**

Assembly Member Chan moved to take up on this day the Leslie motion to reconsider the vote on Senate Bill No. 810.

Assembly Member Goldberg seconded the motion.

Motion to take up motion to reconsider carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Leslie Motion to Reconsider Senate Bill No. 810

Assembly Member Leslie moved that the vote be reconsidered whereby Senate Bill No. 810 was passed earlier this day.

Senate Bill No. 810 refused reconsideration by the following vote:

AYES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

NOES—44

Berg	Frommer	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Matthews	Ridley-Thomas
Chan	Jackson	Montanez	Salinas
Chavez	Kehoe	Mullin	Simitian
Chu	Koretz	Nakano	Steinberg
Cohn	Laird	Nation	Vargas
Corbett	Leno	Negrete McLeod	Wiggins
Correa	Levine	Nunez	Wolk
Dutra	Lieber	Oropeza	Yee
Dymally	Liu	Parra	Mr. Speaker

Senate Bill No. 810 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent that the Workers Compensation Conferees be permitted to add to roll call votes today as if present.

RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following bills to committees as noted:

Senate Bill No. 1041, to the Committee on Elections, Redistricting and Constitutional Amendments;

Senate Bill No. 1052, to the Committee on Insurance.

ANNOUNCEMENT OF CONFERENCE COMMITTEE MEETING

Assembly Member Vargas announced that the Workers Compensation Conference Committee would meet today, at 9 p.m., in Room 4202.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Frommer announced that the Committee on Health would meet today, upon adjournment of Floor session, in Room 4202.

Assembly Member Dutra announced that the Committee on Transportation would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

Assembly Member Canciamilla announced that the Committee on Water, Parks and Wildlife would meet today, upon adjournment of Floor session, in Room 437.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 9, 2003

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Joe Canciamilla to replace Assemblymember Lois Wolk on the Assembly Health Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 9, 2003

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Hannah-Beth Jackson to replace Assemblymember Wilma Chan on the Assembly Health Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Longville announced his intention to request that Senate Bill No. 131 be removed from the inactive file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1005**

At 8:10 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1005 refused passage by the following vote:

AYES—34

Berg	Goldberg	Lowenthal	Salinas
Bermudez	Hancock	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Corbett	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dymally	Lieber	Pavley	
Frommer	Longville	Ridley-Thomas	

NOES—36

Aghazarian	Dutton	Leslie	Parra
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Reyes
Bogh	Haynes	Matthews	Richman
Campbell	Horton, Shirley	Maze	Runner
Cogdill	Houston	McCarthy	Samuelian
Correa	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Strickland
Daucher	La Suer	Pacheco	Wyland

**Motion to Reconsider Senate Bill No. 1005
on Next Legislative Day**

Assembly Member Steinberg moved to reconsider on the next legislative day the vote whereby Senate Bill No. 1005 was this day refused passage.

Senate Bill No. 1005 ordered to the unfinished business file.

COMMITTEE MEETING CANCELED

Speaker pro Tempore Kehoe announced that the meeting of the Committee on Labor and Employment scheduled for tomorrow has been canceled.

BILLS PASSED ON FILE

Senate Bills Nos. 604, 1080, 439, 976, 678, 694, 96, 33, and Senate Constitutional Amendment No. 1—Passed on file.

**BILLS PASSED ON FILE AND PLACED UPON
THE INACTIVE FILE**

Senate Bill No. 707—Passed on file, and placed upon the inactive file pursuant to the Assembly Rules.

ADJOURN IN MEMORY

Assembly Members Spitzer, Daucher, and Pacheco were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel Ortega, of Orange.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Phyllis Roberts, of North Hollywood.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Irena Henner Wolski, of Davis.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 259: Bogh, Campbell, Garcia, Harman, Jerome Horton, Shirley Horton, Houston, Keene, Leslie, Maldonado, Mountjoy, Pacheco, Plescia, Runner, Samuelian, Simitian, and Wyland—Aye.

Senate Bill No. 322: Correa and Jerome Horton—Aye; Houston, Maze, McCarthy, Mountjoy, Pacheco, and Plescia—No.

Senate Bill No. 566, Chu Amendments: Cohn and Levine—Aye; Bogh, Correa, Garcia, Harman, Shirley Horton, Houston, Matthews, Maze, McCarthy, Pacheco, and Plescia—No.

Senate Bill No. 623, Diaz Amendments: Correa and Jerome Horton—Aye; Harman, Shirley Horton, Houston, McCarthy, Pacheco, Plescia, and Wyland—No.

Senate Bill No. 71: Canciamilla, Jerome Horton, and Levine—Aye; Correa—No.

Senate Bill No. 926, Parra Amendments: Aghazarian, Bates, Bermudez, Correa, Dutton, Garcia, Haynes, Jerome Horton, Koretz, La Malfa, Matthews, Pacheco, Plescia, Samuelian, Simitian, and Wyland—Aye; Campbell and Nakanishi—No.

Senate Bill No. 578, Hancock Amendments: Correa, Nation, Simitian, and Yee—Aye; Garcia and Haynes—No.

Senate Bill No. 588: Correa, Garcia, and Simitian—Aye; Haynes—No.

Senate Bill No. 700, Reyes Amendments: Corbett, Correa, Jerome Horton, and Matthews—Aye; Garcia, Haynes, Shirley Horton, Maldonado, Plescia, and Wyland—No.

Senate Bill No. 704, Reyes Amendments: Bermudez, Corbett, Correa, and Matthews—Aye; Garcia, Haynes, Houston, La Malfa, Maldonado, McCarthy, and Pacheco—No.

Senate Bill No. 686, Chu Amendments: Correa—Aye; Garcia, Haynes, and La Malfa—No.

Senate Bill No. 906, Leno Amendments: Cohn, Garcia, Maldonado, and Pavley—Aye; Haynes—No.

Senate Bill No. 666, Nakano Amendments: Bates, Garcia, Jerome Horton, Shirley Horton, Maldonado, Pavley, Plescia, and Wyland—Aye; Dutton, Haynes, Keene, Leslie, McCarthy, Runner, and Strickland—No.

Senate Bill No. 644: Maldonado and Richman—Aye; Garcia, Haynes, Keene, and Leslie—No.

Senate Bill No. 626, Negrete McLeod Amendments, Set 1: Correa, Garcia, and Maldonado—Aye; Aghazarian, Haynes, Keene, and Leslie—No.

Senate Bill No. 626, Negrete McLeod Amendments, Set 2: Jerome Horton and Maldonado—Aye; Aghazarian, Garcia, Haynes, Keene, Plescia, Spitzer, and Wyland—No.

Senate Bill No. 298, Ridley-Thomas Amendments: Correa, Maldonado, and Simitian—Aye; Garcia, Haynes, Keene, and Leslie—No.

Assembly Bill No. 158, Concurrence: Chavez, Correa, Garcia, Haynes, Maldonado, Matthews, Ridley-Thomas, Simitian, and Wiggins—Aye.

Assembly Bill No. 177, Concurrence: Garcia, Haynes, Leno, Maldonado, and Simitian—Aye.

Assembly Bill No. 197, Concurrence: Correa, Garcia, Haynes, Jackson, Koretz, Maldonado, and Simitian—Aye.

Assembly Bill No. 233, Concurrence: Bates, Correa, Garcia, Haynes, Jackson, Koretz, Lowenthal, Maldonado, Nation, Richman, Simitian, and Yee—Aye.

Assembly Bill No. 294, Concurrence: Campbell, Correa, Garcia, Haynes, Koretz, Maldonado, and Simitian—Aye.

Assembly Bill No. 313, Concurrence: Correa, Garcia, Keene, Maldonado, and Simitian—Aye; Haynes—No.

Assembly Bill No. 396, Concurrence: Garcia, Haynes, Maldonado, and Simitian—Aye; Hancock, Koretz, and Pavley—No.

Assembly Bill No. 401, Concurrence: Garcia, Haynes, Koretz, Maldonado, Montanez, and Simitian—Aye.

Assembly Bill No. 453, Concurrence: Correa, Garcia, Haynes, Maldonado, Mullin, Nakano, and Simitian—Aye.

Assembly Bill No. 568, Concurrence: Correa, Garcia, Jerome Horton, Maldonado, Pavley, Runner, and Simitian—Aye; Haynes—No.

Assembly Bill No. 801, Concurrence: Garcia, Koretz, Maldonado, Runner, and Simitian—Aye; Haynes—No.

Assembly Bill No. 1028, Concurrence: Aghazarian, Correa, Shirley Horton, Pavley, and Plescia—Aye; Bates, Bogh, Dutton, Garcia, and Haynes—No.

Assembly Bill No. 1049, Concurrence: Correa, Dymally, Garcia, Haynes, Jackson, Koretz, and Nakanishi—Aye.

Assembly Bill No. 1137, Concurrence: Aghazarian, Correa, Garcia, Jackson, Koretz, Nakanishi, Pacheco, Plescia, and Samuelian—Aye; Haynes—No.

Assembly Bill No. 1286, Concurrence: Keene, Koretz, Leslie, Plescia, and Runner—Aye; Haynes—No.

Assembly Bill No. 1355, Concurrence: Frommer, Garcia, Koretz, and Runner—Aye; Haynes—No.

Assembly Bill No. 1428, Concurrence: Corbett, Garcia, Jackson, Koretz, McCarthy, and Samuelian—Aye; Haynes—No.

Assembly Bill No. 1438, Concurrence: Correa, Dutton, Garcia, Haynes, and Koretz—Aye.

Assembly Bill No. 1512, Concurrence: Garcia, Koretz, McCarthy, Plescia, Samuelian, Simitian, and Wyland—Aye; Haynes—No.

Assembly Bill No. 1628, Concurrence: Garcia, Koretz, McCarthy, Pacheco, and Samuelian—Aye; Haynes—No.

Assembly Bill No. 1700, Concurrence: Garcia—Aye; Campbell and Haynes—No.

Assembly Bill No. 1770, Concurrence: Bermudez, Garcia, and Pacheco—Aye; Haynes—No.

Senate Bill No. 359: Chan, Corbett, Correa, and Haynes—Aye.

Senate Bill No. 591: Correa, Dutton, Haynes, and Wolk—Aye.

Senate Bill No. 78: Cohn, Garcia, Houston, Koretz, Pacheco, and Plescia—Aye; Haynes—No.

Senate Bill No. 842: Correa and Koretz—Aye; Haynes—No.

Senate Concurrent Resolution No. 48: Haynes and Koretz—Aye.

Senate Bill No. 810: Canciamilla—Aye; Correa, Garcia, and Haynes—No.

Senate Bill No. 1056, Wiggins Amendments: Leno and Lowenthal—Aye; Bogh and Haynes—No.

Senate Bill No. 772, Reyes Amendments: Chavez, Corbett, Correa, and Jerome Horton—Aye; Haynes—No.

Senate Bill No. 1004, Laird Amendments: Jerome Horton and Ridley-Thomas—Aye; Haynes—No.

Senate Bill No. 328, Calderon Amendments: Jerome Horton—Aye; Haynes and Pacheco—No.

Senate Bill No. 261: Mountjoy—Aye; Haynes—No.

Senate Bill No. 411, Jerome Horton Amendments, Set 1: Correa, Garcia, and Maldonado—Aye; Haynes and Mountjoy—No.

Senate Bill No. 411, Jerome Horton Amendments, Set 2: Cohn and Garcia—Aye; Cox, Daucher, Haynes, Mountjoy, and Wyland—No.

Senate Bill No. 879, La Suer Amendments: Cohn, Garcia, Haynes, Jerome Horton, and Koretz—Aye.

Senate Bill No. 1009, Leno Amendments: Lieber—Aye; Cox, Garcia, and Haynes—No.

Chan Motion to Return to Motions and Resolutions: Cox, Haynes, Mountjoy, and Pacheco—No.

Chan Motion to Suspend Rules: Bermudez—Aye; Haynes and Mountjoy—No.

Chan Motion to Suspend Assembly Rule 69(b): Correa and Koretz—Aye; Haynes and Mountjoy—No.

Assembly Bill No. 161, Chan Motion to Waive Joint Rule 62(a): Koretz—Aye; Haynes and Mountjoy—No.

Chan Motion to Suspend Rules: Haynes and Mountjoy—No.

Chan Motion to Suspend Rules: Haynes—No.

Senate Bill No. 219: Correa, Haynes, and Nation—No.

Senate Bill No. 407, Steinberg Amendments: Hancock, Ridley-Thomas, Simitian, and Wiggins—Aye; Haynes—No.

Senate Bill No. 420, Leno Amendments: Hancock and Montanez—Aye; Correa, Haynes, and Wyland—No.

Senate Bill No. 620: Correa, Hancock, and Simitian—Aye; Haynes—No.

Senate Bill No. 20, Steinberg Amendments: Haynes—No.

Senate Bill No. 930: Chan, Correa, Shirley Horton, Laird, Ridley-Thomas, and Simitian—Aye.

Senate Bill No. 692: Diaz, Jerome Horton, Jackson, Koretz, and Nakano—Aye; Correa and Haynes—No.

Senate Bill No. 277: Cohn, Haynes, Lieber, and Oropeza—Aye.

Senate Bill No. 317: Haynes and Levine—Aye.

Senate Bill No. 654: Haynes and Nakano—Aye.

Chan Motion to Return to Motions and Resolutions: Haynes—No.

Chan Motion to Suspend Rules: Mullin—Aye; Haynes—No.

Chan Motion to Suspend Rules: Haynes—No.

Chan Motion to Suspend Rules: Haynes—No.

Chan Motion to Suspend Rules: Haynes—No.

Senate Bill No. 420, Chan Motion to Rescind Re-referral: Haynes—No.

Chan Motion to Waive Joint Rule 62(a): Mountjoy and Pacheco—No.

Senate Bill No. 621, Jerome Horton Amendments: Berg, Cohn, Haynes, Shirley Horton, Houston, Keene, La Malfa, McCarthy, Pacheco, Pavley, Runner, and Samuelian—Aye.

Senate Bill No. 178, Steinberg Amendments: Haynes, Houston, and Pacheco—No.

Senate Bill No. 1049, Oropeza Amendments: Haynes, Houston, and Pacheco—No.

Assembly Bill No. 577, Concurrence: Canciamilla, Cox, Houston, Pacheco, and Plescia—Aye; Campbell, Haynes, and Mountjoy—No.

Assembly Bill No. 85, Concurrence: Bermudez, Garcia, and Spitzer—Aye; Haynes, Houston, Mountjoy, and Pacheco—No.

Assembly Bill No. 190, Concurrence: Jerome Horton—Aye; Haynes, Houston, Mountjoy, and Pacheco—No.

Assembly Bill No. 1679, Concurrence: Haynes, Houston, La Malfa, Levine, Mountjoy, Pacheco, and Samuelian—Aye.

Senate Bill No. 1054, Oropeza Amendments: Chavez—Aye.

Special Consent Calendar: Shirley Horton—Aye.

MOTION TO ADJOURN

At 8:11 p.m., Assembly Member Garcia moved that the Assembly do now adjourn.

Assembly Member Cohn seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Strickland, Mountjoy, 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 Garcia that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 8:16 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

September 9, 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 Assemblymember Jackie Goldberg to fill the vacancy on the Assembly Revenue and Taxation Committee for the Wednesday, September 10th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 9, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 205	Assembly Bill No. 909
Assembly Bill No. 534	Assembly Bill No. 1330
Assembly Bill No. 547	Assembly Bill No. 1354
Assembly Bill No. 591	Assembly Bill No. 1718
Assembly Bill No. 648	

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 9, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1124

And reports the same correctly enrolled, and presented to the Governor on the 9th day of September, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, September 9, 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. 3	Senate Bill No. 610
Senate Bill No. 36	Senate Bill No. 613
Senate Bill No. 88	Senate Bill No. 618
Senate Bill No. 155	Senate Bill No. 656
Senate Bill No. 156	Senate Bill No. 720
Senate Bill No. 162	Senate Bill No. 760
Senate Bill No. 210	Senate Bill No. 833
Senate Bill No. 247	Senate Bill No. 947
Senate Bill No. 257	Senate Bill No. 969
Senate Bill No. 292	Senate Bill No. 1024
Senate Bill No. 295	Senate Bill No. 1025
Senate Bill No. 305	Senate Bill No. 1060
Senate Bill No. 315	Senate Bill No. 1065
Senate Bill No. 363	Senate Bill No. 1075
Senate Bill No. 434	Senate Bill No. 1077
Senate Bill No. 478	Senate Bill No. 413
Senate Bill No. 489	Senate Bill No. 577
Senate Bill No. 490	Senate Concurrent Resolution No. 40
Senate Bill No. 545	Senate Joint Resolution No. 3

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 436

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered enrolled.

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 112

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 71
Assembly Bill No. 105
Assembly Bill No. 118
Assembly Bill No. 231
Assembly Bill No. 253
Assembly Bill No. 264

Assembly Bill No. 274
Assembly Bill No. 278
Assembly Bill No. 304
Assembly Bill No. 319
Assembly Bill No. 1093

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, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 33

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. 33—Relative to the Joint Rules.

MESSAGES FROM THE SENATE

Senate Chamber, September 9, 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. 1050.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Transportation

Date of Hearing: September 9, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1238

With the recommendation: That Senate amendments be concurred in.

DUTRA, Chair

Above bill ordered to unfinished business file.

Date of Hearing: September 9, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1479

With the recommendation: That Senate amendments be concurred in.

DUTRA, Chair

Above bill ordered to unfinished business file.

Committee on Health

Date of Hearing: September 9, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 561

With the recommendation: That the Senate amendments be concurred in.

FROMMER, Chair

Above bill ordered to unfinished business.

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, Received at Desk: September 5, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 149, as amended in Senate July 14, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON

RICHARD ALARCON

JUAN VARGAS

FABIAN NUNEZ

KEN MADDOX

Senate Committee on Conference

Assembly Committee on Conference

The undersigned Member dissenting to the report:

CHARLES POOCHIGIAN

Senate Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 227, as amended in Senate July 14, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON

RICHARD ALARCON

JUAN VARGAS

FABIAN NUNEZ

Senate Committee on Conference

Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 968, as amended in Senate July 14, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON

JUAN VARGAS

RICHARD ALARCON

FABIAN NUNEZ

KEN MADDOX

Senate Committee on Conference

Assembly Committee on Conference

The undersigned Member dissenting to the report:

CHARLES POOCHIGIAN

Senate Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 1099, as amended in Senate July 14, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON

JUAN VARGAS

RICHARD ALARCON

FABIAN NUNEZ

KEN MADDOX

Senate Committee on Conference

Assembly Committee on Conference

The undersigned Member dissenting to the report:

CHARLES POOCHIGIAN

Senate Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 1262, as amended in Senate July 14, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	FABIAN NUNEZ
RICHARD ALARCON	JUAN VARGAS
	KEN MADDOX

Senate Committee on Conference Assembly Committee on Conference

The undersigned Member dissenting to the report:

CHARLES POOCHIGIAN

Senate Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, Received at Desk: September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 1528, as amended in Senate June 27, 2003, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	REBECCA COHN
DEIRDRE ALPERT	DARIO FROMMER
SAM AANESTAD	ROBERT PACHECO

Senate Committee on Conference Assembly Committee on Conference

Above bill ordered reprinted, as proposed by the Conference Committee.

Assembly Chamber, September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning:

Senate Bill No. 2, as amended in Assembly on June 23, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	DARIO FROMMER
DEIRDRE ALPERT	REBECCA COHN

Senate Committee on Conference Assembly Committee on Conference

The undersigned Members dissenting to the report:

SAM AANESTAD ROBERT PACHECO

Senate Committee on Conference Assembly Committee on Conference

Assembly Chamber, September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning: **Senate Bill No. 228**, as amended in Assembly on July 14, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

RICHARD ALARCON	FABIAN NUNEZ
JOHN BURTON	JUAN VARGAS

-----	-----
Senate Committee on Conference	Assembly Committee on Conference

Assembly Chamber, September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning: **Senate Bill No. 552**, as amended in Assembly on July 14, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	JOE NATION
KEVIN MURRAY	FRAN PAVLEY
BRUCE MCPHERSON	TOM HARMAN

Senate Committee on Conference	Assembly Committee on Conference
--------------------------------	----------------------------------

Assembly Chamber, September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning: **Senate Bill No. 1007**, as amended in Assembly on July 14, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	FABIAN NUNEZ
RICHARD ALARCON	JUAN VARGAS
CHARLES POOCHIGIAN	KEN MADDOX

Senate Committee on Conference	Assembly Committee on Conference
--------------------------------	----------------------------------

Assembly Chamber, September 9, 2003

Mr. Speaker: The Committee on Conference has met concerning: **Senate Bill No. 1071**, as amended in Assembly on July 14, 2003, and agreed to recommend that the amendments of the Assembly be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

JOHN BURTON	FABIAN NUNEZ
RICHARD ALARCON	JUAN VARGAS
	KEN MADDOX

Senate Committee on Conference	Assembly Committee on Conference
--------------------------------	----------------------------------

The undersigned Member dissenting to the report:

CHARLES POOCHIGIAN

Senate Committee on Conference

INTRODUCTION OF GUESTS

Assembly Member Dymally, of the 52nd Assembly District, introduced former Senator Nate Holden.

ADJOURNMENT

At 11:55 p.m., pursuant to the motion by Assembly Member Garcia, the Assembly adjourned until 10:30 a.m., Wednesday, September 10, 2003, out of respect to the memory of Jamie Elizabeth Westoby, on motion of Assembly Member Wiggins; out of respect to the memory of Daniel Ortega, on motion of Assembly Members Spitzer, Daucher, and Pacheco; out of respect to the memory of Dr. Irena Henner Wolski, on motion of Assembly Member Wolk; and out of respect to the memory of Phyllis Roberts on motion of Assembly Member Frommer.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

Assembly Rule 69(a) invoked (Coauthor amendments)

SB

317

654

Daily Total:	64
Cumulative Total:	2903

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, September 10, 2003

ONE HUNDRED TWENTY-SEVENTH SESSION DAY

TWO HUNDRED EIGHTY-THIRD 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
Wednesday, September 10, 2003

The Assembly met at 10:30 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 Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 10:31 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 10:50 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:

O God, the Father of Glory, Give us the spirit of wisdom, and revelation in the knowledge of You. Let the eyes of our understanding be enlightened, that we may know the hope of Your promised blessings and the riches of Your glory. O Lord, Your power is great to all who believe and we praise and glorify You forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Ridley-Thomas 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 9, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Correction of Appointment Dates of Norman Hui and Albert Seto to Commission on Asian and Pacific Islander American Affairs

Dear Mr. Wilson: Please be advised I have corrected the appointment dates of Dr. Norman Hui and Mr. Albert Seto to the Commission on Asian and Pacific Islander American Affairs. These term appointments are now effective January 1, 2004 and the revised expiration date is January 1, 2006.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 9, 2003

*E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Correction of Appointment Dates of Paul Osaki and Luisa Blue to Commission on Asian and Pacific Islander American Affairs

Dear Mr. Wilson: Please be advised I have corrected the appointment dates of Mr. Paul Osaki and Ms. Luisa Blue to the Commission on Asian and Pacific Islander American Affairs. These term appointments are now effective January 1, 2004 and the expiration date is January 1, 2008.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 10, 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 Assemblymember Lloyd Levine to replace Assemblymember Marco Firebaugh on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY JOINT RESOLUTION NO. 52—Correa. Relative to Macedonians.

HOUSE RESOLUTION NO. 37—Committee on Jobs, Economic Development and the Economy (Ridley-Thomas (Chair), Chan, Dymally, Nation, Oropeza, Parra, and Yee). Relative to the Immigrant Workers Freedom Ride.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly</i>		<i>Committee</i>
<i>Bill No.</i>		
152 -----		Ed. and Jud.
1592 -----		V.A.

<i>Senate Concurrent</i>		<i>Committee</i>
<i>Resolution No.</i>		
7 -----		Rls.
49 -----		Rls.

MESSAGES FROM THE SENATE

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 327 | Assembly Bill No. 826 |
| Assembly Bill No. 413 | Assembly Bill No. 897 |
| Assembly Bill No. 522 | Assembly Bill No. 899 |
| Assembly Bill No. 539 | Assembly Bill No. 900 |
| Assembly Bill No. 677 | Assembly Bill No. 1017 |

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, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- Assembly Bill No. 903
- Assembly Bill No. 1008
- Assembly Bill No. 1131

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, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1027 | Assembly Bill No. 1266 |
| Assembly Bill No. 1042 | Assembly Bill No. 1290 |
| Assembly Bill No. 1208 | Assembly Bill No. 1308 |

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, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1497 | Assembly Bill No. 1676 |
| Assembly Bill No. 1524 | Assembly Bill No. 1688 |
| Assembly Bill No. 1551 | Assembly Bill No. 1719 |
| Assembly Bill No. 1587 | Assembly Bill No. 1771 |
| Assembly Bill No. 1640 | |

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, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1326 | Assembly Bill No. 1485 |
| Assembly Bill No. 1410 | Assembly Bill No. 1492 |

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, September 10, 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. 5
Senate Bill No. 56
Senate Bill No. 81
Senate Bill No. 87
Senate Bill No. 130
Senate Bill No. 157
Senate Bill No. 168

Senate Bill No. 187
Senate Bill No. 680
Senate Bill No. 748
Senate Bill No. 763
Senate Bill No. 970
Senate Bill No. 1008

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 49

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 40
Assembly Joint Resolution No. 46

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

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. 903, 1008, and 1131.

UNANIMOUS CONSENT WITHHELD

Assembly Member Haynes withheld unanimous consent on the following:

ALL motions to "Pass and Retain" on every single bill which is taken up by the Assembly today, such that the failure of either an author or Floor author to take up a bill which appears on today's Assembly Third Reading File will in fact constitute a "Pass On File;"

ALL motions to "Pass Temporarily" on every single bill which comes before the Assembly today, such that while throughout the course of the day's proceedings the Presiding Officer may return to a measure for purposes of taking that measure up for a vote, upon adjournment of today's session the failure of either an author or Floor author to take up a bill which appears on today's Assembly Third Reading File will in fact constitute a "Pass On File."

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 96, on request of Assembly Member Chan.

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. 1501, 366, and 1498, on request of Assembly Member Plescia.

ACTION RESCINDED ON SENATE BILL NO. 602

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on September 8, 2003 (Assembly Journal, page 3543), passed Senate Bill No. 602, and whereby the bill was ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills No. 534 and 933, ordered to third reading.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 18—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, 21097, and 21097.5 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 570—An act to amend Sections 24011, 25502.3, and 25502.5 of the Government Code, to amend Section 830.1 of the Penal Code, and to amend Section 16809.4 of the Welfare and Institutions Code, relating to local government.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted, bill ordered reprinted and to be returned to the second reading file.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 67 (Bowen)—An act to amend Section 399.14 of, and to add Section 399.16 to, the Public Utilities Code, relating to energy.

Bill read third time, and presented by Assembly Member Reyes.

Bill passed by the following vote:

AYES—44

Berg	Frommer	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Nunez	Wolk
Diaz	Levine	Oropeza	Yee
Dutra	Lieber	Parra	Mr. Speaker

NOES—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	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 331 (Romero)—An act to add Section 340.8 to the Code of Civil Procedure, relating to toxic injuries.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—47

Berg	Frommer	Longville	Reyes
Bermudez	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
Dymally	Liu	Pavley	

NOES—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	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 627 (Committee on Public Employment and Retirement)—An act to amend Sections 22109.5, 22138.5, 22146, 22203.5, 22213, 22503, 22663, 22713, 22714, 22801, 22801.5, 22820, 22823, 22826, 22905, 23203, 23300, 24002, 24012, 24111, 24214, 24216.6, 24221, 24300, 24606, 24615, 24616, 24617, 24975, 25000.9, 25018.5, 25100, 25101, and 25940 of the Education Code, relating to state teachers' retirement.

Bill read third time, and presented by Assembly Member Mullin.

Bill passed by the following vote:

AYES—55

Berg	Frommer	Longville	Pavley
Bermudez	Garcia	Lowenthal	Reyes
Calderon	Goldberg	Maddox	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Samuelian
Chavez	Jackson	Montanez	Simitian
Chu	Kehoe	Mullin	Spitzer
Cohn	Koretz	Nakanishi	Steinberg
Corbett	La Suer	Nakano	Vargas
Correa	Laird	Nation	Wiggins
Daucher	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Parra	

NOES—24

Aghazarian	Cox	Keene	Pacheco
Bates	Dutton	La Malfa	Plescia
Benoit	Harman	Leslie	Richman
Bogh	Haynes	Maze	Runner
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 892 (Murray)—An act to add Section 35292.5 to the Education Code, relating to schools.

Bill read third time, and presented by Assembly Member Goldberg.

Bill passed by the following vote:

AYES—48

Berg	Garcia	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maldonado	Richman
Chan	Horton, Jerome	Matthews	Ridley-Thomas
Chavez	Horton, Shirley	Montanez	Salinas
Chu	Jackson	Mullin	Simitian
Cohn	Kehoe	Nakano	Steinberg
Corbett	Koretz	Nation	Vargas
Diaz	Laird	Negrete McLeod	Wiggins
Dutra	Leno	Nunez	Wolk
Dymally	Levine	Oropeza	Yee
Frommer	Lieber	Parra	Mr. Speaker

NOES—28

Aghazarian	Correa	La Malfa	Pacheco
Bates	Cox	La Suer	Plescia
Benoit	Dutton	Leslie	Runner
Bogh	Harman	Maze	Samuelian
Campbell	Haynes	McCarthy	Spitzer
Canciamilla	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 611 (Ducheny)—An act to amend Section 99200 of the Education Code, relating to instructional strategies.

Bill read third time, and presented by Assembly Member Simitian.

Bill passed by the following vote:

AYES—51

Berg	Dymally	Lieber	Oropeza
Bermudez	Frommer	Liu	Parra
Calderon	Garcia	Longville	Pavley
Canciamilla	Goldberg	Lowenthal	Reyes
Chan	Hancock	Maddox	Ridley-Thomas
Chavez	Horton, Jerome	Maldonado	Salinas
Chu	Horton, Shirley	Matthews	Simitian
Cohn	Jackson	Montanez	Steinberg
Corbett	Kehoe	Mullin	Vargas
Correa	Koretz	Nakano	Wiggins
Daucher	Laird	Nation	Yee
Diaz	Leno	Negrete McLeod	Mr. Speaker
Dutra	Levine	Nunez	

NOES—26

Aghazarian	Dutton	Leslie	Runner
Bates	Harman	Maze	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 614 (Cedillo)—An act to amend Sections 18628, 19116, 19164, 19166, 19173, 19177, 19179, 19504, 19715, and 21028 of, to add Section 18407 to, to add Chapter 9.5 (commencing with Section 19751) to Part 10.2 of Division 2 of, and to repeal and add Section 18648 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—47

Berg	Dymally	Longville	Pavley
Bermudez	Frommer	Lowenthal	Reyes
Calderon	Goldberg	Maldonado	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	Levine	Nunez	Yee
Diaz	Lieber	Oropeza	Mr. Speaker
Dutra	Liu	Parra	

NOES—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 1685, to the Committee on Utilities and Commerce;

Assembly Bill No. 1532, to the Committee on Jobs, Economic Development and the Economy;

~~Assembly Bill No. 278, to the Committee on Governmental Organization.~~

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 278 was re-referred to the Committee on Governmental Organization pursuant to Assembly Rule 77.2. See page 3711.)

CAUCUS ANNOUNCEMENTS

At 11:57 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 11:57 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 1:41 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

**AUTHOR'S AMENDMENTS
Committee on Veterans Affairs**

September 10, 2003

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 1592

With author's amendments with the recommendation: Amend, and re-refer to the committee.

PARRA, Chair

ASSEMBLY BILL NO. 1592—An act to amend Section 890 of the Military and Veterans Code, relating to veterans.

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 Business and Professions**

September 10, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 1388

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 1388—An act to amend Section 144 of, and to add Chapter 10.5 (commencing with Section 4600) to Division 2 of, the Business and Professions Code, relating to massage therapy.

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 Education

September 10, 2003

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 152

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 152—An act to Amend Section 17280.5 of the Education Code, relating to school facilities.

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.

REPORTS OF STANDING COMMITTEES

Committee on Public Employees, Retirement and Social Security

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 53
Senate Bill No. 269
Senate Bill No. 1056

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

NEGRETE McLEOD, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 1009
Senate Bill No. 1064

With the recommendation: Do pass.

CHAVEZ, Chair

Above bills ordered to second reading.

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 103
Senate Bill No. 808

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 906

With the recommendation: Do pass.

NEGRETE McLEOD, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 49

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to third reading.

Committee on Water, Parks and Wildlife

Date of Hearing: September 9, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 1004

With the recommendation: Do pass.

CANCIAMILLA, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 666

With the recommendation: Do pass.

JACKSON, Chair

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 23

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE JOINT RESOLUTION NO. 23—Relative to Military base closures.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 719 (Kuehl)—An act to amend Sections 32261, 32262, 35183, 35294.10, 35294.11, 35294.12, 35294.13, 35294.21, 35294.22, 51263, and 51264 of, to amend and renumber Sections 32280, 32290, 32295, 35294, 35294.1, 35294.2, 35294.3, 35294.4, 35294.5, 35294.6, 35294.7, and 35294.8 of, to amend and renumber the headings of Article 3 (commencing with Section 32280) of, Article 4 (commencing with Section 32290) of, and Article 5 (commencing with Section 32295) of Chapter 2.5 of Part 19 of, and Article 10.3 (commencing with Section 35294) to Chapter 2 of Part 21 of, to add Article 5.3 (commencing with Section 32290) of Chapter 2.5 of Part 19 of, to repeal Section 35294.9 of, and to repeal Article 2 (commencing with Section 32270) of Chapter 2.5 of Part 19 of, the Education Code, relating to school safety.

Bill read third time, and presented by Assembly Member Chu.

Bill passed by the following vote:

AYES—52

Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Canciamilla	Hancock	Maldonado	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	Montanez	Simitian
Chu	Jackson	Mullin	Spitzer
Cohn	Kehoe	Nakano	Steinberg
Corbett	Koretz	Nation	Vargas
Correa	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—21

Aghazarian	Harman	Leslie	Samuelian
Bates	Haynes	Maze	Strickland
Bogh	Houston	McCarthy	Wyland
Campbell	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Dutton	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 923 (Sher)—An act to amend Section 13269 of the Water Code, relating to water.

Bill read third time, and presented by Assembly Member Pavley.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Pavley moved a call of the Assembly.

Motion carried. Time, 2:07 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 25 (Bowen)—An act to amend Sections 1785.11.1, 1785.11.6, 1786.60, and 1798.85 of the Civil Code, relating to personal information.

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. 590 (Speier)—An act to add Section 1798.80.5 to the Civil Code, relating to personal information.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member McCarthy moved a call of the Assembly.

Motion carried. Time, 2:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**REQUEST FOR UNANIMOUS CONSENT TO WAIVE
JOINT RULE 62(a)**

Assembly Member Chan requested unanimous consent to waive Joint Rule 62(a) to permit the Committee on Jobs, Economic Development and the Economy to hear Senate Bill No. 623 and Assembly Bill No. 1532 during a recess or upon adjournment of session today.

Assembly Member Cogdill withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved to waive Joint Rule 62(a) to permit the Committee on Jobs, Economic Development and the Economy to hear Senate Bill No. 623 and Assembly Bill No. 1532 today, during a recess or upon adjournment of session.

Assembly Member Vargas seconded the motion.

Motion carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**REQUEST FOR UNANIMOUS CONSENT TO SUSPEND
ASSEMBLY RULE 78**

Assembly Member Chan requested unanimous consent to suspend Assembly Rule 78 to permit Senate Bill No. 796 to be removed from the Inactive File for purpose of consideration.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 78

Assembly Member Chan moved to suspend Assembly Rule 78 to permit Senate Bill No. 796 to be removed from the Inactive File for purpose of consideration.

Assembly Member Vargas seconded the motion.

Motion for suspension of the Rules carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

SENATE BILL NO. 219 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given by Assembly Member Chavez, Assembly Member Chan was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 219 was refused passage, and that the bill be placed upon the inactive file.

RULES TEMPORARILY SUSPENDED

Assembly Member Chan was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bills Nos. 700, 704, and 705 and that the bills be taken up out of file order.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 923**

At 2:29 p.m., on motion of Assembly Member Pavley, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 923 passed by the following vote:

AYES—43

Berg	Dutra	Levine	Oropeza
Bermudez	Dymally	Lieber	Pavley
Calderon	Frommer	Liu	Ridley-Thomas
Canciamilla	Goldberg	Longville	Simitian
Chan	Hancock	Lowenthal	Steinberg
Chavez	Horton, Jerome	Montanez	Vargas
Chu	Jackson	Mullin	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Koretz	Nation	Yee
Correa	Laird	Negrete McLeod	Mr. Speaker
Diaz	Leno	Nunez	

NOES—34

Aghazarian	Garcia	Maddox	Plescia
Bates	Harman	Maldonado	Richman
Benoit	Haynes	Matthews	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Bill ordered transmitted to the Senate.

ACTION RESCINDED ON ASSEMBLY BILL NO. 278

Assembly Member Bermudez was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3705), Assembly Bill No. 278 was re-referred to the Committee on Governmental Organization pursuant to Assembly Rule 77.2, and that the bill be returned to the Senate for further action.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)**

SENATE BILL NO. 9 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Strickland was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 9 was refused passage; and that the bill be placed upon the inactive file.

**At 2:33 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Reyes was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 700.

SENATE BILL NO. 700 (Florez)—An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, 40724.6, 40724.7, 40731, 42301.16, 42301.17, 42301.18, and 44559.9 to, the Health and Safety Code, relating to air quality.

Bill read third time, and presented by Assembly Member Reyes.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Maze moved a call of the Assembly.

Motion carried. Time, 2:56 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

At 2:58 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Reyes was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 704, without reference to file.

SENATE BILL NO. 704 (Florez)—An act to repeal Part 3 (commencing with Section 1101) of Division 1 of the Food and Agricultural Code, and to add Section 41606 to the Health and Safety Code, relating to air quality.

Bill read third time, and presented by Assembly Member Reyes.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	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	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Wyland
Diaz	Leslie	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

NOES—1

Haynes

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 705 (Florez)—An act to add Sections 41855.5 and 41855.6 to the Health and Safety Code, relating to air quality.

Bill read third time, and presented by Assembly Member Reyes.

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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 709 (Florez)—An act to add Chapter 5.7 (commencing with Section 40600) to Part 3 of Division 26 of the Health and Safety Code, to add Section 9250.16 to the Vehicle Code, and to repeal Section 5 of Chapter 915 of the Statutes of 1994, relating to air quality.

Bill read third time, and presented by Assembly Member Reyes.

Bill passed by the following vote:

AYES—43

Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Corbett	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker
Dymally	Lieber	Pavley	

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Matthews	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 262 (Kuehl)—An act to amend Section 4458 of, and to add Sections 4459.5, 4459.6, 4459.7, and 4459.8 to, the Government Code, and to amend Sections 19954 and 19958.5 of, and to add Section 19958.6 to, the Health and Safety Code, relating to building standards, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Dutra.

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	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—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 556 (Sher)—An act to amend, add, and repeal Section 52124 of the Education Code, relating to class size.

Bill read third time, and presented by Assembly Member Liu.

Bill passed by the following vote:

AYES—75

Aghazarian	Dymally	Levine	Pavley
Bates	Frommer	Lieber	Plescia
Benoit	Garcia	Liu	Reyes
Berg	Goldberg	Longville	Richman
Bermudez	Hancock	Lowenthal	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Campbell	Haynes	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Mountjoy	Spitzer
Chu	Jackson	Mullin	Steinberg
Cohn	Keene	Nakanishi	Strickland
Corbett	Kehoe	Nakano	Vargas
Correa	Koretz	Nation	Wiggins
Cox	La Malfa	Negrete McLeod	Wolk
Daucher	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker
Dutton	Leslie	Parra	

NOES—1

Bogh

Bill ordered transmitted to the Senate.

**At 3:20 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

SENATE BILL NO. 288 (Sher)—An act to add Chapter 4.5 (commencing with Section 42500) to Part 4 of Division 26 of, the Health and Safety Code, and to amend Section 9250.11 of the Vehicle Code, relating to air quality.

Bill read third time, and presented by Assembly Member Laird.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Laird moved a call of the Assembly.

Motion carried. Time, 3:32 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 476 (Florez)—An act to amend Sections 1797.98a, 1797.98b, 1797.98c, and 1797.98e, of the Health and Safety Code, relating to health.

Bill read third time, and presented by Assembly Member Reyes.

Bill passed by the following vote:

AYES—77

Aghazarian	Dymally	Lieber	Plescia
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	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 868 (Dunn)—An act to amend Section 1773.1 of the Labor Code, relating to public works.

Bill read third time, and presented by Assembly Member Montanez.

Bill passed 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	Mathews	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—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 288**

At 3:51 p.m., on motion of Assembly Member Laird, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 288 passed by the following vote:

AYES—43

Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Pavley	

NOES—35

Aghazarian	Dutton	Leslie	Parra
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Mathews	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 590**

At 3:52 p.m., on motion of Assembly Member McCarthy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 590 passed by the following vote:

AYES—48

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Canciamilla	Hancock	Maldonado	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—31

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Matthews	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	

Bill ordered transmitted to the Senate.

**REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY
SUSPEND THE RULES**

Assembly Member Chan requested unanimous consent that Assembly Rule 77 be temporarily suspended for the purpose of permitting consideration of concurrence items on today's file.

Assembly Member Cogdill withheld unanimous consent.

MOTION TO TEMPORARILY SUSPEND ASSEMBLY RULE 77

Assembly Member Chan moved that Assembly Rule 77 be temporarily suspended for the purpose of permitting consideration of Assembly Bills Nos. 1669, 1458, 1469, 1541, 1548, 1627, 66, 47, 68, 121, 161, 260, 356, 509, 526, 692, 906, 935, 1666, 1685, 163, 170, 1532, 71, 105, 118, 231, 253, 264, 274, 304, 319, 1093, 1238, 1479, and 561; and Assembly Joint Resolution No. 3.

Assembly Member Vargas seconded the motion.

Rules temporarily suspended by the following vote:

AYES—46

Berg	Dymally	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	

NOES—30

Aghazarian	Dutton	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1458 (Reyes)—An act to amend Section 18824 of, and to add Section 18640.5 to the Business and Professions Code, relating to boxing.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—73

Aghazarian	Dutton	Longville	Reyes
Bates	Dymally	Lowenthal	Richman
Benoit	Frommer	Maddox	Ridley-Thomas
Berg	Garcia	Maldonado	Runner
Bermudez	Harman	Matthews	Salinas
Bogh	Horton, Jerome	McCarthy	Samuelian
Calderon	Horton, Shirley	Montanez	Simitian
Canciamilla	Houston	Mountjoy	Spitzer
Chan	Keene	Mullin	Steinberg
Chavez	Kehoe	Nakanishi	Strickland
Chu	Koretz	Nakano	Vargas
Cogdill	La Malfa	Nation	Wiggins
Cohn	La Suer	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Cox	Leslie	Pacheco	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Plescia	

NOES—3

Campbell	Haynes	Maze
----------	--------	------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1469 (Negrete McLeod)—An act to add Sections 364.05 and 366.05 to the Welfare and Institutions Code, relating to minors.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—58

Benoit	Frommer	Lieber	Parra
Berg	Garcia	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Richman
Canciamilla	Harman	Maddox	Ridley-Thomas
Chan	Horton, Jerome	Maldonado	Salinas
Chavez	Horton, Shirley	Matthews	Simitian
Chu	Houston	Montanez	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	Koretz	Nation	Wolk
Daucher	Laird	Negrete McLeod	Yee
Diaz	Leno	Nunez	Mr. Speaker
Dutra	Leslie	Oropeza	
Dymally	Levine	Pacheco	

NOES—21

Aghazarian	Dutton	McCarthy	Spitzer
Bates	Haynes	Mountjoy	Strickland
Bogh	Keene	Nakanishi	Wyland
Campbell	La Malfa	Plescia	
Cogdill	La Suer	Runner	
Cox	Maze	Samuelian	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1541 (Montanez)—An act to add Section 13385.1 to the Water Code, relating to water.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—44

Berg	Dymally	Lieber	Pavley
Bermudez	Frommer	Liu	Reyes
Calderon	Goldberg	Longville	Ridley-Thomas
Canciamilla	Hancock	Lowenthal	Salinas
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker

NOES—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1541: Assembly Member Matthews, from "Aye" to "No"; Assembly Member Negrete McLeod, from "Aye" to "Not Voting".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1548 (Pavley)—An act to amend Sections 33541, 51226.4, and 60041 of the Education Code, to amend Sections 40507, 42622, 42645, and 42647 of, and to add Part 4 (commencing with Section 71300) to Division 34 of, to repeal Section 42603 of, the Public Resources Code, relating to environmental 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—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	Keohoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1627 (Frommer)—An act to amend Sections 1971, 2154.2, 2201, and 3516.1 of the Business and Professions Code, to amend Section 92725 of the Education Code, and to amend Sections 124425, 124760, 124765, 127755, 127928, 128040, 128205, 128215, 128235, 128260, 128330, and 128385 of, to add Section 128207 to, and to add Article 11 (commencing with Section 1339.50) to Chapter 2 of Division 2 of, the Health and Safety Code, relating to health care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—62

Bates	Dutton	Longville	Plescia
Benoit	Dymally	Lowenthal	Reyes
Berg	Frommer	Maddox	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Hancock	Maze	Salinas
Canciamilla	Harman	McCarthy	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mullin	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	
Dutra	Liu	Pavley	

NOES—15

Aghazarian	Houston	Leslie	Samuelian
Campbell	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Strickland
Haynes	La Suer	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1627: Assembly Member Koretz, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

At 4:10 p.m., Hon. Sarah Reyes, 31st District, presiding

ASSEMBLY BILL NO. 66 (Leslie)—An act to amend Section 7270.5 of, and to add Sections 7275 and 7276 to, the Food and Agricultural Code, and to add Division 2.7 (commencing with Section 1970) to the Streets and Highways Code, relating to riparian habitat.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	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	
Dutton	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 260 (Jackson)—An act to amend Section 91.5 of, and to add Section 91.6 to, the Streets and Highways Code, relating to highways.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Aghazarian	Dutra	Lieber	Pavley
Bates	Dutton	Liu	Plescia
Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Richman
Bogh	Garcia	Maldonado	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Campbell	Horton, Jerome	Montanez	Simitian
Canciamilla	Horton, Shirley	Mullin	Steinberg
Chan	Jackson	Nakano	Vargas
Chavez	Kehoe	Nation	Wiggins
Chu	Koretz	Negrete McLeod	Wolk
Cohn	Laird	Nunez	Wyland
Corbett	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker

NOES—22

Benoit	Haynes	Maddox	Runner
Cogdill	Houston	Maze	Samuelian
Correa	Keene	McCarthy	Spitzer
Cox	La Malfa	Mountjoy	Strickland
Daucher	La Suer	Nakanishi	
Harman	Leslie	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 526 (Chan)—An act to add and repeal Section 2107.5 of the Elections Code, relating to registration.

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—43

Berg	Dutra	Liu	Reyes
Bermudez	Dymally	Longville	Ridley-Thomas
Calderon	Frommer	Lowenthal	Salinas
Canciamilla	Goldberg	Montanez	Simitian
Chan	Hancock	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	Lieber	Pavley	

NOES—34

Aghazarian	Garcia	Maddox	Plescia
Bates	Harman	Maldonado	Richman
Benoit	Haynes	Matthews	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Above bill ordered enrolled.

At 4:20 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 692 (Dutra)—An act to add and repeal Article 6.9 (commencing with Section 20209.20) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code, relating to public contracts.

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—45

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Maldonado	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Vargas
Chavez	Jackson	Nakano	Wiggins
Chu	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Yee
Corbett	Laird	Nunez	Mr. Speaker
Correa	Leno	Oropeza	
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	

NOES—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Above bill ordered enrolled.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1685 for hearing in the Committee on Utilities and Commerce, today.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 700**

At 4:34 p.m., on motion of Assembly Member Maze, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 700 passed by the following vote:

AYES—49

Berg	Dymally	Longville	Richman
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	Koretz	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Reyes	

NOES—30

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maldonado	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 906 (Nakano)—An act to add Division 39 (commencing with Section 72500) to the Public Resources 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—61

Bates	Dutra	Lieber	Plescia
Benoit	Dutton	Liu	Reyes
Berg	Dymally	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Calderon	Goldberg	Maldonado	Simitian
Campbell	Hancock	Matthews	Steinberg
Canciamilla	Harman	Montanez	Vargas
Chan	Horton, Jerome	Mullin	Wiggins
Chavez	Horton, Shirley	Nakano	Wolk
Chu	Jackson	Nation	Wyland
Cohn	Kehoe	Negrete McLeod	Yee
Corbett	Koretz	Nunez	Mr. Speaker
Correa	Laird	Oropeza	
Daucher	Leno	Parra	
Diaz	Levine	Pavley	

NOES—18

Aghazarian	Keene	McCarthy	Samuelian
Cogdill	La Malfa	Mountjoy	Spitzer
Cox	La Suer	Nakanishi	Strickland
Haynes	Leslie	Pacheco	
Houston	Maze	Runner	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 906: Assembly Members Bates and Shirley Horton, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 935 (Diaz)—An act to add Chapter 9 (commencing with Section 100600) to Part 12 of Division 10 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—47

Bates	Dymally	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Nunez	Wolk
Corbett	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	

NOES—30

Aghazarian	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

Above bill ordered enrolled.

BILL RETURNED TO SENATE

Assembly Member Cogdill was granted unanimous consent that Assembly Bill No. 1666 be returned to the Senate for further action.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 170 (Reyes)—An act to add Section 65302.1 to the Government Code, relating to local planning.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Reyes moved a call of the Assembly.

Motion carried. Time, 4:41 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:41 p.m., by unanimous consent, the members of the Committee on Utilities and Commerce were excused for the propose 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. 231 (Steinberg)—An act to amend Sections 11155 and 18901.6 of, and to add Sections 18901.9 and 18901.10 to, the Welfare and Institutions Code, relating to public social services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—48

Berg	Frommer	Lieber	Parra
Bermudez	Garcia	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Diaz	Laird	Negrete McLeod	Wolk
Dutra	Leno	Nunez	Yee
Dymally	Levine	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Dutton	Maddox	Runner
Bates	Harman	Maldonado	Samuelian
Benoit	Haynes	Maze	Spitzer
Bogh	Houston	McCarthy	Strickland
Campbell	Keene	Mountjoy	Wyland
Cogdill	La Malfa	Pacheco	
Correa	La Suer	Plescia	
Cox	Leslie	Richman	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 170**

At 4:55 p.m., on motion of Assembly Member Reyes, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 170 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—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Above bill ordered enrolled immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 253 (Steinberg)—An act to add Section 1276.41 to the Health and Safety Code, relating to health facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 5:36 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 264 (Mullin)—An act to add Section 17462.7 to, and add and repeal Section 17462.5 of, the Education Code, relating to public schools.

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
Berg	Garcia	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Campbell	Horton, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chan	Jackson	Montanez	Simitian
Chavez	Keene	Mountjoy	Spitzer
Chu	Kehoe	Mullin	Steinberg
Cogdill	Koretz	Nakanishi	Strickland
Cohn	La Malfa	Nakano	Vargas
Corbett	La Suer	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Cox	Leno	Nunez	Wyland
Diaz	Leslie	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 274 (Koretz)—An act to add Section 1182.9 to the Labor Code, relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—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—33

Aghazarian	Garcia	Maddox	Richman
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	
Dutton	Leslie	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 304 (Mullin)—An act to amend Sections 51541.5, 51505, 51615, 51628, 51642, 51643.5, 51648, 51650, 51651, 51652, 51654, 51670, and 53533 of, and to repeal Section 51646 of, the Health and Safety Code, relating to housing, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—48

Berg	Frommer	Lieber	Parra
Bermudez	Garcia	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Harman	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Corbett	Kehoe	Nakano	Vargas
Correa	Koretz	Nation	Wiggins
Diaz	Laird	Negrete McLeod	Wolk
Dutra	Leno	Nunez	Yee
Dymally	Levine	Oropeza	Mr. Speaker

NOES—30

Aghazarian	Dutton	Maddox	Richman
Bates	Haynes	Maldonado	Runner
Benoit	Horton, Shirley	Maze	Samuelian
Bogh	Houston	McCarthy	Spitzer
Campbell	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	Wyland
Cox	La Suer	Pacheco	
Daucher	Leslie	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 319 (Frommer)—An act to amend Section 12021 of the Penal Code, relating to firearms.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1093 (Lieber)—An act to add Section 19830.5 to the Government Code, and to add Article 13 (commencing with Section 10480) to Chapter 2 of Part 2 of the Public Contract Code, relating to living 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—45

Berg	Dymally	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Matthews	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
Correa	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Longville	Reyes	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1238 (Firebaugh)—An act to amend Section 11580.9 of the Insurance Code, to add and repeal Section 97.1 of the Streets and Highways Code, and to amend Sections 34501.12, 34620, and 34621 of the Vehicle Code, relating to vehicles.

Bill proposed by Assembly Member Oropeza.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—58

Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maldonado	Richman
Calderon	Hancock	Matthews	Ridley-Thomas
Canciamilla	Harman	McCarthy	Salinas
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Jackson	Mullin	Spitzer
Chu	Keene	Nakanishi	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Cox	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—19

Aghazarian	Correa	La Malfa	Pacheco
Bates	Dutton	Leslie	Samuelian
Bogh	Haynes	Maddox	Strickland
Campbell	Horton, Shirley	Maze	Wyland
Cogdill	Houston	Mountjoy	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1238: Assembly Member Keene, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1479 (Chu)—An act to amend Section 11205 of, to add Section 11205.2 to, and to repeal and add Section 11214 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—53

Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Horton, Shirley	Mullin	Spitzer
Chavez	Houston	Nakano	Steinberg
Chu	Jackson	Nation	Vargas
Cohn	Kehoe	Negrete McLeod	Wiggins
Corbett	Koretz	Nunez	Wolk
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	
Frommer	Liu	Plescia	

NOES—26

Aghazarian	Cox	Leslie	Richman
Bates	Dutton	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Strickland
Campbell	Keene	McCarthy	Wyland
Cogdill	La Malfa	Mountjoy	
Correa	La Suer	Nakanishi	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 561 (Lieber)—An act to add Sections 14504, 14504.1, 14504.2, and 14504.3 to the Welfare and Institutions Code, relating to family planning.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—50

Berg	Dymally	Lieber	Reyes
Bermudez	Frommer	Liu	Richman
Calderon	Garcia	Longville	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Horton, Shirley	Mullin	Vargas
Cohn	Jackson	Nakano	Wiggins
Corbett	Kehoe	Negrete McLeod	Wolk
Correa	Koretz	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Levine	Pavley	

NOES—27

Aghazarian	Dutton	Leslie	Pacheco
Bates	Harman	Maddox	Plescia
Benoit	Haynes	Maldonado	Runner
Bogh	Houston	Maze	Samuelian
Campbell	Keene	McCarthy	Strickland
Cogdill	La Malfa	Mountjoy	Wyland
Cox	La Suer	Nakanishi	

Above bill ordered enrolled.

**Re-reference of Bills to Committee Pursuant to
Assembly Rule 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following bills to committees as noted:

Assembly Bill No. 163, to the Committee on Education;
Senate Bill No. 328, to the Committee on Appropriations.

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Assembly Rule 69(d) be suspended for purpose of consideration of bills on the Senate third reading file.

Assembly Member Cox withheld unanimous consent.

CAUCUS ANNOUNCEMENTS

At 6:25 p.m., Assembly Member Cox was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 6:25 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 7:15 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 47 (Simitian)—An act to add Section 4551.9 to the Public Resources Code, relating to forest practices.

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—44

Berg	Hancock	Lowenthal	Pavley
Bermudez	Horton, Jerome	Maldonado	Richman
Chan	Jackson	Matthews	Ridley-Thomas
Chavez	Kehoe	Montanez	Salinas
Chu	Koretz	Mullin	Simitian
Cohn	Laird	Nakano	Steinberg
Corbett	Leno	Nation	Vargas
Diaz	Levine	Negrete McLeod	Wiggins
Dutra	Lieber	Nunez	Wolk
Dymally	Liu	Oropeza	Yee
Goldberg	Longville	Parra	Mr. Speaker

NOES—32

Aghazarian	Cox	Keene	Nakanishi
Bates	Daucher	La Malfa	Pacheco
Benoit	Dutton	La Suer	Plescia
Bogh	Garcia	Leslie	Runner
Campbell	Harman	Maddox	Samuelian
Canciamilla	Haynes	Maze	Spitzer
Cogdill	Horton, Shirley	McCarthy	Strickland
Correa	Houston	Mountjoy	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 68 (Simitian)—An act to add Chapter 22 (commencing with Section 22575) to Division 8 of the Business and Professions Code, relating to privacy.

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 Simitian moved a call of the Assembly.

Motion carried. Time, 7:35 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 121 (Simitian)—An act to add Division 38 (commencing with Section 72400) to the Public Resources 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—58

Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Calderon	Goldberg	Maddox	Ridley-Thomas
Campbell	Hancock	Maldonado	Salinas
Canciamilla	Harman	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Spitzer
Chavez	Horton, Shirley	Mullin	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	
Dymally	Liu	Plescia	

NOES—21

Aghazarian	Dutton	Leslie	Runner
Bates	Haynes	Maze	Samuelian
Benoit	Houston	McCarthy	Strickland
Bogh	Keene	Mountjoy	
Cogdill	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	

Above bill ordered enrolled.

JOINT RULE 62(a) WAIVED

Assembly Member Steinberg was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting the following bills for hearing in the Committee on Appropriations today:

Assembly Bills Nos. 1405 and 1700; and Senate Bills Nos. 103, 269, 407, 686, 808, 1056, and 328.

REQUEST TO SUSPEND ASSEMBLY RULE 69(d)

Assembly Member Chan requested unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bills.

Assembly Member Cogdill withheld unanimous consent.

Motion to Suspend Assembly Rule 69(d)

Assembly Member Chan moved to suspend Assembly Rule 69(d) to permit consideration of the following bills on Senate third reading:

Senate Bills Nos. 1055, 1057, 1058, 915, 274, 278, 1074, 605, 328, 279, 631, 973, 268, 566, 879, 306, 403, 926, 966, 364, 578, 98, 420, 971, 853, 814, 20, 362, 1043, 178, 294, 1049, and 1054.

Assembly Member Goldberg seconded the motion.

Motion for suspension of the Rules carried 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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1055 (Committee on Budget and Fiscal Review)—An act to amend Section 488.385 of the Code of Civil Procedure, to amend Section 10902 of the Revenue and Taxation Code, to amend Sections 1685, 4064, 5014, 5036, 5066, 6700.25, 9102.5, 9250, 9250.8, 9250.13, 9252, 9254, 9258, 9261, 9265, 9400.1, 9554, 9702, 11515, 11515.2, 12814.5, 14900, 14900.1, 14901, 14902, 38121, 38225.4, 38225.5, 38232, 38255, 38260, and 38265 of, to add Section 1678 to, and to repeal Section 38225.4 of, the Vehicle Code, and to amend Item No. 2720-001-0044 of the Budget Act of 2003, relating to vehicles, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Oropeza.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Oropeza moved a call of the Assembly.

Motion carried. Time, 7:43 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 1058 (Torlakson)—An act to add and repeal Section 62027 to the Education Code, relating to children, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Goldberg.

Bill passed by the following vote:

AYES—45

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Cohn	Laird	Nunez	Yee
Corbett	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—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	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 915 (Perata)—An act to amend Sections 66540.14, 66540.16, 66540.20, 66540.40, and 66540.72 of, to add Sections 66540.21, 66540.27, and 66540.29 to, and to repeal Sections 66540.22 and 66540.23 of, the Government Code, relating to transportation.

Bill read third time, and presented by Assembly Member Dutra.

Bill passed by the following vote:

AYES—46

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	
Dymally	Liu	Pavley	

NOES—33

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Canciamilla	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 278 (Ducheny)—An act to amend Section 3041 of, and to add Title 2.5 (commencing with Section 3550) to Part 3 of, the Penal Code, relating to prisoners.

Bill read third time, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—50

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Matthews	Ridley-Thomas
Canciamilla	Horton, Jerome	Montanez	Salinas
Chan	Jackson	Mullin	Simitian
Chavez	Kehoe	Nakanishi	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	La Suer	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Daucher	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maddox	Samuelian
Benoit	Harman	Maldonado	Spitzer
Bogh	Haynes	Maze	Strickland
Campbell	Horton, Shirley	McCarthy	Wyland
Cogdill	Houston	Mountjoy	
Correa	Keene	Pacheco	
Cox	La Malfa	Plescia	

Bill ordered transmitted to the Senate.

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. 118 to the Committee on Transportation.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 605 (McPherson)—An act to amend Section 8592.1 of, and to add Section 8592.6 to, the Government Code, relating to public safety.

Bill read third time, and presented by Assembly Member Nakano.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 973 (Machado)—An act to add Section 14669.7 to the Government Code, relating to state property.

Bill read third time, and presented by Assembly Member Matthews.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Campbell	Haynes	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 268 (Soto)—An act to amend Sections 20751, 20776, 21037, 21050, 21293, and 21294 of, and to add Sections 20751.5, 20910, and 21251.15 to, the Government Code, relating to public employees' retirement.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Bill passed by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	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	
Dutton	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 879 (Margett)—An act to amend Section 290 of the Penal Code, relating to sex offenders.

Bill read third time, and presented by Assembly Member La Suer.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutra	Lieber	Parra
Bates	Dutton	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Campbell	Horton, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chan	Jackson	Montanez	Simitian
Chavez	Keene	Mountjoy	Spitzer
Chu	Kehoe	Mullin	Steinberg
Cogdill	Koretz	Nakanishi	Strickland
Cohn	La Malfa	Nakano	Vargas
Corbett	La Suer	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Cox	Leno	Nunez	Wyland
Daucher	Leslie	Oropeza	Yee
Diaz	Levine	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 216 (Sher)—An act to amend Sections 2106 , 2109, 2110, and 2111 of, to amend and renumber Section 2116 of, and to repeal Section 2106.5 of, the Fish and Game Code, relating to endangered species, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Laird.

Bill passed by the following vote:

AYES—54

Bates	Dymally	Lieber	Pavley
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Harman	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Horton, Shirley	Mullin	Vargas
Cohn	Jackson	Nakano	Wiggins
Corbett	Kehoe	Nation	Wolk
Correa	Koretz	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Levine	Parra	

NOES—25

Aghazarian	Haynes	Maze	Samuelian
Benoit	Houston	McCarthy	Spitzer
Bogh	Keene	Mountjoy	Strickland
Campbell	La Malfa	Nakanishi	Wyland
Cogdill	La Suer	Pacheco	
Cox	Leslie	Plescia	
Dutton	Maddox	Runner	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 216: Assembly Member Bates, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 403 (Florez)—An act to amend Sections 11270, 13400, 13401, 13402, 13403, 13405, and 13406 of, and to add Chapter 5.5 (commencing with Section 11531) to Part 1 of, and to add Chapter 3.5 (commencing with Section 13343) to Part 3 of, Division 3 of Title 2 of, the Government Code, and to amend Sections 12101, 12102, and 12103 of, and to repeal Section 12105 of, the Public Contract Code, relating to information technology.

Bill read third time, and presented by Assembly Member Diaz.

Bill passed by the following vote:

AYES—49

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton; Jerome	Matthews	Simitian
Chan	Horton; Shirley	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—30

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plesecia	

Bill ordered transmitted to the Senate:

(NOTE: On March 11, 2004, the action was rescinded whereby Senate Bill No. 403 was passed, and whereby the bill was ordered transmitted to the Senate. See page 4755.)

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 1055**

At 8:08 p.m., on motion of Assembly Member Oropeza, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 1055 passed by the following vote:

AYES—44

Berg	Dymally	Lieber	Pavley
Bermudez	Frommer	Liu	Reyes
Calderon	Goldberg	Longville	Ridley-Thomas
Chan	Hancock	Lowenthal	Salinas
Chavez	Horton, Jerome	Matthews	Simitian
Chu	Jackson	Montanez	Steinberg
Cohn	Kehoe	Mullin	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	Laird	Nation	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Canciamilla	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Parra	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 436 (Soto)—An act to amend Sections 22790, 22792, 22793, 22794, 22825.1, 22840, and 22850 of the Government Code, relating to the Public Employees’ Medical and Hospital Care Act, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Campbell	Horton, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chavez	Jackson	Montanez	Simitian
Chu	Keene	Mountjoy	Spitzer
Cogdill	Kehoe	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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 606 (Vasconcellos)—An act to amend Section 49455 of the Education Code, relating to pupil health.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—48

Berg	Frommer	Longville	Pavley
Bermudez	Garcia	Lowenthal	Reyes
Calderon	Goldberg	Maldonado	Ridley-Thomas
Canciamilla	Hancock	Matthews	Runner
Chan	Horton, Jerome	Montanez	Salinas
Chavez	Jackson	Mullin	Samuelian
Chu	Kehoe	Nakano	Simitian
Cohn	Koretz	Negrete McLeod	Steinberg
Corbett	Laird	Nunez	Vargas
Diaz	Leno	Oropeza	Wolk
Dutra	Levine	Pacheco	Yee
Dymally	Liu	Parra	Mr. Speaker

NOES—27

Aghazarian	Cox	La Malfa	Nakanishi
Bates	Dutton	La Suer	Plescia
Benoit	Harman	Leslie	Richman
Bogh	Haynes	Maddox	Spitzer
Campbell	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 606: Assembly Member Wyland, from “Aye” to “No”; Assembly Member Maldonado, from “No” to “Aye”; Assembly Member Nation, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 966 (Alarcon)—An act to amend Section 1726 of, and to add Section 1781 to, the Labor Code, relating to prevailing wages.

Bill read third time, and presented by Assembly Member Steinberg.

Bill passed by the following vote:

AYES—78

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	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. 578 (Alarcon)—An act to amend Section 6108 of the Public Contract Code, relating to public contracts.

Bill read third time, and presented by Assembly Member Hancock.

Point of Order

Assembly Member Vargas arose to the following point of order:

Assembly Member La Suer’s question of Assembly Member Hancock was answered.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order well-taken.

The question being on the passage of the bill.

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	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 68**

At 8:25 p.m., on motion of Assembly Member Simitian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 68 by the following vote:

AYES—42

Berg	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Montanez	Salinas
Canciamilla	Jackson	Mullin	Simitian
Chan	Kehoe	Nakano	Steinberg
Chavez	Koretz	Nation	Vargas
Chu	Laird	Negrete McLeod	Wiggins
Corbett	Leno	Nunez	Wolk
Diaz	Levine	Oropeza	Yee
Dutra	Lieber	Parra	Mr. Speaker
Dymally	Liu	Pavley	
Frommer	Longville	Reyes	

NOES—32

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Richman
Bogh	Harman	Maldonado	Runner
Campbell	Haynes	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 68: Assembly Member Diaz, from "No" to "Aye".

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 24 (Figueroa)—An act to add Sections 14148.03, 14148.04, and 14148.05 to the Welfare and Institutions Code, relating to health care.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—67

Aghazarian	Garcia	Longville	Pavley
Berg	Goldberg	Lowenthal	Plescia
Bermudez	Hancock	Maddox	Reyes
Calderon	Harman	Maldonado	Richman
Canciamilla	Horton, Jerome	Matthews	Ridley-Thomas
Chan	Horton, Shirley	Maze	Runner
Chavez	Houston	McCarthy	Salinas
Chu	Jackson	Montanez	Simitian
Cohn	Keene	Mullin	Spitzer
Corbett	Kehoe	Nakanishi	Steinberg
Correa	Koretz	Nakano	Vargas
Daucher	Laird	Nation	Wiggins
Diaz	Leno	Negrete McLeod	Wolk
Dutra	Leslie	Nunez	Wyland
Dutton	Levine	Oropeza	Yee
Dymally	Lieber	Pacheco	Mr. Speaker
Frommer	Liu	Parra	

NOES—11

Bates	Cogdill	La Malfa	Samuelian
Bogh	Cox	La Suer	Strickland
Campbell	Haynes	Mountjoy	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 420 (Vasconcellos)—An act to add Article 2.5 (commencing with Section 11362.7) to Chapter 6 of Division 10 of the Health and Safety Code, relating to controlled substances.

Bill read third time, and presented by Assembly Member Leno.

Bill passed 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—32

Aghazarian	Dutton	Leslie	Pacheco
Bates	Garcia	Maddox	Parra
Benoit	Harman	Maldonado	Plescia
Bogh	Haynes	Matthews	Runner
Campbell	Houston	Maze	Samuelian
Cogdill	Keene	McCarthy	Spitzer
Correa	La Malfa	Mountjoy	Strickland
Cox	La Suer	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 814 (Vincent)—An act to amend Sections 19801, 19876, 19951, 19962, and 19963 of the Business and Professions Code, relating to gambling.

Bill read third time, and presented by Assembly Member Bermudez.

Bill passed by the following vote:

AYES—74

Aghazarian	Dutra	Liu	Plescia
Bates	Dutton	Longville	Reyes
Benoit	Dymally	Lowenthal	Richman
Berg	Frommer	Maddox	Ridley-Thomas
Bermudez	Garcia	Maldonado	Runner
Bogh	Hancock	Matthews	Salinas
Calderon	Harman	Maze	Samuelian
Campbell	Horton, Jerome	McCarthy	Simitian
Canciamilla	Horton, Shirley	Mountjoy	Spitzer
Chan	Houston	Mullin	Steinberg
Chavez	Keene	Nakanishi	Strickland
Chu	Kehoe	Nakano	Vargas
Cogdill	Koretz	Nation	Wiggins
Cohn	La Malfa	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Cox	Leslie	Pacheco	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

**At 8:38 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

SENATE BILL NO. 20 (Sher)—An act to add Article 10.3 (commencing with Section 25214.9) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Article 4 (commencing with Section 41516) to Chapter 3.5 of Part 2 of, and Chapter 8.5 (commencing with Section 42460) to Part 3 of, Division 30 of the Public Resources Code, relating to hazardous and solid waste.

Bill read third time, and presented by Assembly Member Steinberg.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 9 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 356 (Alpert)—An act to amend Sections 290 and 290.4 of the Penal Code, relating to sex offenders.

Bill read third time.

Request for Unanimous Consent

Assembly Member Haynes requested unanimous consent to suspend Assembly Rule 69(e) for the purpose of consideration of amendments to Senate Bill No. 356.

Unanimous Consent Withheld

Assembly Member Kehoe withheld unanimous consent.

Motion to Suspend Assembly Rule 69(e)

Assembly Member Haynes moved to suspend Assembly Rule 69(e) for the purpose of consideration of amendments to Senate Bill No. 356.

Assembly Member Spitzer seconded the motion.

Motion for temporary suspension of the Rules lost by the following vote:

AYES—32

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Richman
Bogh	Harman	Maldonado	Runner
Campbell	Haynes	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

NOES—43

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Pavley	

Further Consideration of Senate Bill No. 356

Bill presented by Assembly Member Kehoe.

Point of Order

Assembly Member Vargas arose to the following point of order: Assembly Member Haynes is not limiting debate to the merits of Senate Bill No. 356.

Ruling by Assistant Speaker pro Tempore Yee

The Assistant Speaker pro Tempore ruled the point of order well-taken.

Parliamentary Inquiry

Assembly Member Bogh arose to the following parliamentary inquiry:

What specific Assembly Rule governs germaneness of debate on the Floor?

Reply by Assistant Speaker pro Tempore Yee

Assistant Speaker pro Tempore Yee replied that pursuant to Assembly Rule 10, Mason's Manual, Section 101, is the authority requiring that debate be confined to the question before the Body.

The question being on passage of the bill.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Frommer	Liu	Pavley
Benoit	Garcia	Longville	Plescia
Berg	Hancock	Lowenthal	Reyes
Bermudez	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Campbell	Horton, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chan	Jackson	Montanez	Simitian
Chavez	Keene	Mountjoy	Spitzer
Chu	Kehoe	Mullin	Steinberg
Cogdill	Koretz	Nakanishi	Strickland
Cohn	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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 362 (Figueroa)—An act to amend Sections 125.9, 1616.5, 1742, 1765, 1775, 7303.1, 7309, 7313, 7317, 7319.5, 7321, 7321.5, 7324, 7326, 7330, 7332, 7333, 7334, 7335, 7336, 7337, 7337.5, 7338, 7340, 7341, 7342, 7344, 7353, 7354, 7355, 7356, 7357, 7359, 7362, 7362.1, 7362.2, 7362.3, 7364, 7365, 7366, 7367, 7389, 7395.1, 7396, 7400, 7401, 7403, 7404, 7405, 7406, 7407, 7408, 7409, 7410, 7414.1, 7414.3, 7414.4, 7414.6, 7415, 7421, and 7422 of, and to amend and repeal Sections 1601.1, 7390, 7391, 7392, 7393, 7394, and 7395 of, to add Sections 7303.2 and 7403.5 to, to repeal Sections 7331.5, 7340.5, 7416, and 7423.5 of, and to repeal and add Sections 7331 and 7423 to, the Business and Professions Code, to amend Section 830.3 of the Penal Code, and to repeal Sections 3 and 4 of Chapter 859 of the Statutes of 2001, relating to business and professions.

Bill read third time, and presented by Assembly Member Correa.

Bill passed by the following vote:

AYES—76

Aghazarian	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Benoit	Garcia	Longville	Plescia
Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Campbell	Horton, Jerome	Matthews	Runner
Canciamilla	Horton, Shirley	Maze	Salinas
Chan	Houston	McCarthy	Samuelian
Chavez	Jackson	Montanez	Simitian
Chu	Keene	Mountjoy	Spitzer
Cogdill	Kehoe	Mullin	Steinberg
Cohn	Koretz	Nakanishi	Strickland
Correa	La Malfa	Nakano	Vargas
Cox	La Suer	Nation	Wiggins
Daucher	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Wyland
Dutra	Leslie	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

NOES—2

Bogh Haynes

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 253**

At 9:10 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 9:10 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

At 9:10 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 178, on request of Assembly Member Steinberg.

**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, and presented by Assembly Member Correa.

Bill passed by the following vote:

AYES—58

Aghazarian	Dutton	Lieber	Pavley
Benoit	Dymally	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Maldonado	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Spitzer
Chavez	Horton, Shirley	Mullin	Steinberg
Chu	Houston	Nakanishi	Vargas
Cohn	Jackson	Nakano	Wiggins
Corbett	Kehoe	Nation	Wolk
Correa	Koretz	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Levine	Parra	

NOES—20

Bogh	Haynes	Maddox	Richman
Campbell	Keene	Maze	Runner
Cogdill	La Malfa	McCarthy	Samuelian
Cox	La Suer	Mountjoy	Strickland
Harman	Leslie	Pacheco	Wyland

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1049 (Committee on Budget and Fiscal Review)—An act to amend Sections 1103 and 1103.2 of the Civil Code, to amend Sections 714, 2536, 2540, 3031, 3031.2, 4654, 6596, 6596.1, 7145, 7147, 7149, 7149.05, 7149.2, 7149.8, 7360, 7360.1, 7361, 7363, 7380, 7852, 7881, 7921, 8032, 8033, 8033.2, 8033.5, 8034, 8035, 8036, 13005, 15101, and 15103 of, to amend the heading of Article 4 (commencing with Section 7360) of Chapter 2 of Part 2 of Division 6 of, to add Section 8039 to, and to repeal Sections 7149.1, 7149.15, 7362, 7852.21, 7852.3, and 7921.5 of, the Fish and Game Code, and to amend Sections 11502.5, 11703, 11704, 11707, 11903, 11904, 12021, 12103, 12104, 12105, 12201, 12202, 12252, 12401, 12404, 12818, 12841, 12841.1, and 14152 of, to add Section 12841.2 to, to repeal Sections 11515 and 11516 of, and to repeal and add Section 12812 of, the Food and Agricultural Code, to amend Section 8589.4 of, and to add Section 8589.5 to, the Government Code, to amend Sections 12975.7 and 12975.8 of, and to add and repeal Section 10089.45 of, the Insurance Code, to amend Section 25534 of, to add Section 25806 to, and to add Article 3.5 (commencing with Section 4138) to Chapter 1 of Part 2 of Division 4 of, the Public Resources Code, to amend Sections 1025.5, 1052, 1228.3, 1845, 2850, 5006, 5107, 6307, 6308, 6309, 13160.1, and 79505.5 of, to add Sections 1031, 2865, and 2868 to, to repeal Sections 1228.8 and 6308.5 of, and to repeal and add Chapter 8 (commencing with Section 1525) of Part 2 of Division 2 of, the Water Code, and to amend Section 1 of Chapter 240 of the Statutes of 2003 relating to resources, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Oropeza.

Bill passed by the following vote:

AYES—42

Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Jackson	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Koretz	Nakano	Wolk
Corbett	Laird	Nation	Yee
Diaz	Leno	Nunez	Mr. Speaker
Dutra	Levine	Oropeza	
Dymally	Lieber	Pavley	

NOES—35

Aghazarian	Daucher	La Suer	Parra
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wiggins
Correa	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1054 (Committee on Budget and Fiscal Review)—An act to amend Section 6817 of, to add Chapter 1.695 (commencing with Section 5096.500) and Chapter 3.8 (commencing with Section 5750) to Division 5 of, the Public Resources Code, and to add Section 79544.1 to the Water Code, relating to public resources, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Oropeza.

Bill passed by the following vote:

AYES—48

Berg	Frommer	Liu	Parra
Bermudez	Goldberg	Longville	Pavley
Calderon	Hancock	Lowenthal	Reyes
Chan	Horton, Jerome	Maldonado	Ridley-Thomas
Chu	Horton, Shirley	Matthews	Salinas
Cohn	Jackson	Montanez	Simitian
Corbett	Kehoe	Mullin	Steinberg
Correa	Koretz	Nakano	Vargas
Daucher	Laird	Nation	Wiggins
Diaz	Leno	Negrete McLeod	Wolk
Dutra	Levine	Nunez	Yee
Dymally	Lieber	Oropeza	Mr. Speaker

NOES—30

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Canciamilla	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 1054: Assembly Members Maldonado and Shirley Horton, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1669 (Chu)—An act to add Sections 2247 and 2960.2 to the Business and Professions Code, to amend, repeal, and add Section 1031 of the Government Code, and to add Section 832.05 to the Penal Code, relating to peace officers.

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	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Maddox	Richman
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Bogh	Hancock	Matthews	Runner
Calderon	Harman	Maze	Salinas
Canciamilla	Horton, Jerome	McCarthy	Samuelian
Chan	Horton, Shirley	Montanez	Simitian
Chavez	Houston	Mountjoy	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Cox	La Suer	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leslie	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 71 (Jerome Horton)—An act to add and repeal Division 8.6 (commencing with Section 22970) of the Business and Professions Code, to add Section 15618.5 to the Government Code, to amend Section 104557 of the Health and Safety Code, to amend, repeal, and add Section 830.11 of the Penal Code, and to amend Sections 30436, 30449, 30471, 30473.5, 30474, and 30481 of, to add Sections 30019, 30165.1, 30166.1, 30177.5, and 30482 to, to add and repeal Sections 30435 and 30474.1 of, to add and repeal Article 2.5 (commencing with Section 30210) of Chapter 4 of Part 13 of Division 2 of, and to add and repeal Article 5 (commencing with Section 30355) of Chapter 5 of Part 13 of Division 2 of, the Revenue and Taxation Code, relating to cigarettes and tobacco products, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—51

Berg	Frommer	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	McCarthy	Runner
Canciamilla	Harman	Montanez	Salinas
Chavez	Horton, Jerome	Mullin	Simitian
Chu	Jackson	Nakano	Spitzer
Cohn	Kehoe	Nation	Steinberg
Correa	Koretz	Nunez	Vargas
Cox	Laird	Oropeza	Wiggins
Daucher	Leno	Parra	Wolk
Diaz	Levine	Pavley	Yee
Dutra	Lieber	Plescica	Mr. Speaker
Dymally	Liu	Reyes	

NOES—15

Aghazarian	Garcia	Maddox	Nakanishi
Bates	Haynes	Maldonado	Pacheco
Bogh	Horton, Shirley	Maze	Samuelian
Dutton	La Malfa	Mountjoy	

Above bill ordered enrolled.

CONSIDERATION OF SENATE BILL NO. 602 BY UNANIMOUS CONSENT

Assembly Member Montanez was granted unanimous consent to take up Senate Bill No. 602 without reference to file, for purpose of amendment.

SENATE BILL NO. 602 (Figueroa)—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

Bill read third time.

Motion to Amend

Assembly Member Montanez moved the adoption of amendments.

Amendments read and adopted by the following vote:

AYES—76

Aghazarian	Dutra	Levine	Pacheco
Bates	Dutton	Lieber	Parra
Benoit	Dymally	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Campbell	Haynes	Matthews	Runner
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	La Malfa	Nakano	Wiggins
Correa	La Suer	Nation	Wolk
Cox	Laird	Negrete McLeod	Wyland
Daucher	Leno	Nunez	Yee
Diaz	Leslie	Oropeza	Mr. Speaker

NOES—None

Bill ordered reprinted and to be returned to the third reading file.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 306 (Ducheny)—An act to amend Sections 17021.7, 17951, 18013.4, 18045.5, 18214, 18300, 18862.39, 18862.47, 18865, 19971, 50517.5, and 50786 of the Health and Safety Code, relating to mobilehomes and manufactured homes.

Bill read third time, and presented by Assembly Member Salinas.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 20**

At 9:34 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 9:34 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 253**

At 9:36 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Cox moved to continue the call of the Assembly.

Motion carried. Time, 9:38 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

BILL RETURNED TO SENATE

Assembly Member Yee was granted unanimous consent that Assembly Bill No. 1370 be returned to the Senate for further action.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 163 for hearing in the Committee on Education, today; and for the purpose of setting Senate Bills Nos. 460 and 871 for hearing in the Committee on Transportation on Thursday, September 11, 2003, at 9:45 a.m., in the Rules Committee Room.

COMMITTEE MEETING ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced that the Committee on Jobs, Economic Development and the Economy would meet today, upon adjournment of Floor session.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 253**

At 9:45 p.m., on motion of Assembly Member Cox, 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. 253 by the following vote:

AYES—40

Berg	Frommer	Lieber	Pavley
Bermudez	Goldberg	Liu	Ridley-Thomas
Canciamilla	Hancock	Longville	Salinas
Chavez	Horton, Jerome	Lowenthal	Simitian
Chu	Jackson	Montanez	Steinberg
Cohn	Kehoe	Mullin	Vargas
Corbett	Koretz	Nakano	Wiggins
Diaz	Laird	Nation	Wolk
Dutra	Leno	Nunez	Yee
Dymally	Levine	Oropeza	Mr. Speaker

NOES—35

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Reyes
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Maze	Runner
Campbell	Horton, Shirley	McCarthy	Samuelian
Cogdill	Houston	Mountjoy	Spitzer
Correa	Keene	Nakanishi	Strickland
Cox	La Malfa	Pacheco	Wyland
Daucher	La Suer	Parra	

**Motion to Reconsider Assembly Bill No. 253
on Next Legislative Day**

Assembly Member Steinberg moved to reconsider on the next legislative day the vote whereby Assembly Bill No. 253 was refused concurrence in Senate amendments.

Assembly Bill No. 253 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 20**

At 9:49 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Cogdill moved to continue the call of the Assembly.

Motion carried. Time, 9:50 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 439 (Committee on Public Employment and Retirement)—
An act to amend Sections 20035.1 and 21363.4 of, and to add Sections 20035.2,
20035.3, and 22825.11 to, the Government Code, relating to state employees, and
declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 20**

At 9:54 p.m., on motion of Assembly Member Cogdill, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Cox moved to continue the call of the Assembly.

Motion carried. Time, 9:55 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ADJOURN IN MEMORY

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edward Teller, of Palo Alto.

(Assembly Rule 45.5 suspended.)

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 20**

At 10:01 p.m., on motion of Assembly Member Cox, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 20 passed by the following vote:

AYES—42

Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Nunez	Wolk
Corbett	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—29

Aghazarian	Garcia	Maddox	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	Yee
Cox	La Malfa	Nakanishi	
Dutra	La Suer	Pacheco	
Dutton	Leslie	Plescia	

**Motion to Reconsider Senate Bill No. 20
on Next Legislative Day**

Assembly Member Cox moved to reconsider on the next legislative day the vote whereby Senate Bill No. 20 was this day passed.

Senate Bill No. 20 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1072 and 1005 were continued until the next legislative day.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 217, on request of Assembly Member Simitian;

Senate Bill No. 131, on request of Assembly Member Longville.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Goldberg announced that the Committee on Education would meet today, upon adjournment of Floor session in the Tom Bane Rules Committee Meeting Room.

Assembly Member Steinberg announced that the Committee on Appropriations would meet today, upon adjournment of the Education Committee, in the Tom Bane Rules Committee Meeting Room.

Assembly Member Ridley-Thomas announced that the Committee on Jobs, Economic Development and the Economy would meet today, upon adjournment of Floor session, in Room 447.

Assembly Member Jerome Horton announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor session, in Room 4202.

Assembly Member Dutra announced that the Committee on Transportation would meet tomorrow, at 9:45 a.m., in the Tom Bane Rules Committee Room.

BILLS PASSED ON FILE

Senate Bills Nos. 1051, 1057, 279, 566, 971, 853, 256, 122, 458, 197, 118, 430, and 1043—Passed on file.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gen. Raymond Davis, of Stockbridge, GA.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Ryan Carnegie, of Burbank.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect of the memory of Professor Don Dahlsten, of Berkeley.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 67: Jerome Horton, Parra, and Simitian—Aye; Bates, Correa, Houston, Keene, Leslie, Maddox, Maldonado, Mountjoy, and Samuelian—No.

Senate Bill No. 331: Jerome Horton and Simitian—Aye; Bates, Houston, Keene, Leslie, and Maddox—No.

Senate Bill No. 627: Daucher, Garcia, Jerome Horton, Maddox, Maldonado, Simitian, and Spitzer—Aye; Aghazarian, Dutton, Houston, Keene, and Leslie—No.

Senate Bill No. 892: Simitian—Aye; Bates, Dutton, Haynes, and Houston—No.

Senate Bill No. 611: Bermudez, Daucher, Garcia, Maddox, and Maldonado—Aye; Bates, Dutton, Houston, Plescia, and Wyland—No.

Senate Bill No. 614: Bermudez, Calderon, Canciamilla, Chavez, Maldonado, and Simitian—Aye; Harman and Maddox—No.

Senate Bill No. 719: Frommer, Garcia, Shirley Horton, Maldonado, and Spitzer—Aye; Bates, Campbell, Haynes, Keene, Leslie, McCarthy, Plescia, Samuelian, and Wyland—No.

Chan Motion to Suspend Joint Rule 62(a): Correa—Aye; Benoit, Haynes, Maddox, Mountjoy, and Nakanishi—No.

Chan Motion to Suspend Assembly Rule 78: Haynes, Mountjoy, and Nakanishi—No.

Senate Bill No. 923: Bermudez and Calderon—Aye; Harman, Haynes, and Mountjoy—No.

Senate Bill No. 704: Bogh, Chan, Mountjoy, Nunez, and Strickland—Aye; Haynes—No.

Senate Bill No. 705: Canciamilla and Jerome Horton—Aye; Haynes and Strickland—No.

Senate Bill No. 709: Jerome Horton—Aye; Cox, Daucher, Haynes, Matthews, and Strickland—No.

Senate Bill No. 262: Calderon and Chavez—Aye; Haynes, Matthews, and Strickland—No.

Senate Bill No. 556: Calderon, Chavez, Correa, Haynes, Mountjoy, and Strickland—Aye; Bogh—No.

Senate Bill No. 476: Benoit, Berg, Campbell, Canciamilla, Haynes, Jackson, La Suer, Pacheco, Samuelian, and Simitian—Aye.

Senate Bill No. 868: Maddox, Nation, and Pavley—Aye; Campbell, Haynes, La Malfa, Maldonado, and Samuelian—No.

Senate Bill No. 288: Canciamilla and Negrete McLeod—Aye; Correa, Haynes, and Matthews—No.

Senate Bill No. 590: Calderon, Canciamilla, and Maldonado—Aye; Haynes—No.

Chan Motion to Suspend Assembly Rule 77: Garcia and Simitian—Aye; Campbell, Haynes, Maldonado, and Samuelian—No.

Assembly Bill No. 1458, Concurrence: Frommer, Garcia, Maldonado, Salinas, Samuelian, and Simitian—Aye; Campbell and Haynes—No.

Assembly Bill No. 1469, Concurrence: Garcia and Simitian—Aye; Bates, Campbell, Dutton, Haynes, Keene, La Malfa, Plescia, Samuelian, and Wyland—No.

Assembly Bill No. 1541, Concurrence: Simitian—Aye; Campbell, Garcia, Haynes, Maldonado, and Samuelian—No.

Assembly Bill No. 1548, Concurrence: Simitian—Aye; Aghazarian, Campbell, Garcia, Haynes, Maddox, Maldonado, Mountjoy, Samuelian, and Spitzer—No.

Assembly Bill No. 1627, Concurrence: Dutton, Garcia, Maddox, Plescia, and Simitian—Aye; Campbell, Haynes, Mountjoy, and Samuelian—No.

Assembly Bill No. 66, Concurrence: Campbell, Garcia, Haynes, Parra, Samuelian, and Simitian—Aye.

Assembly Bill No. 260, Concurrence: Campbell, Garcia, Maldonado, and Simitian—Aye; Correa, Haynes, Samuelian, and Spitzer—No.

Assembly Bill No. 526, Concurrence: Corbett and Correa—Aye; Campbell, Haynes, Maddox, Mountjoy, Plescia, Samuelian, and Wyland—No.

Assembly Bill No. 692, Concurrence: Correa and Simitian—Aye; Campbell, Haynes, Houston, Maddox, Mountjoy, Pacheco, Plescia, Samuelian, and Wyland—No.

Senate Bill No. 700: Jerome Horton—Aye; Haynes, Houston, Maddox, and Mountjoy—No.

Assembly Bill No. 906, Concurrence: Campbell, Correa, Plescia, and Wyland—Aye; Haynes, Houston, Pacheco, and Samuelian—No.

Assembly Bill No. 935, Concurrence: Jackson and Koretz—Aye; Campbell, Correa, Haynes, Houston, Maldonado, Pacheco, Plescia, Samuelian, and Wyland—No.

Assembly Bill No. 231, Concurrence: Garcia—Aye; Correa, Dutton, Houston, Maddox, Mountjoy, Pacheco, Plescia, Samuelian, and Wyland—No.

Assembly Bill No. 170, Concurrence: Correa—Aye; Matthews—No.

Assembly Bill No. 264, Concurrence: Correa, Dutton, Harman, Houston, Maze, Nakano, and Pacheco—Aye; Haynes—No.

Assembly Bill No. 274, Concurrence: Correa, Frommer, Simitian, and Wiggins—Aye; Daucher, Dutton, Harman, Haynes, Matthews, and Maze—No.

Assembly Bill No. 304, Concurrence: Calderon, Garcia, and Harman—Aye; Daucher, Dutton, Haynes, Maddox, Maze, McCarthy, Mountjoy, Plescia, Samuelian, and Wyland—No.

Assembly Bill No. 319, Concurrence: Daucher, Dutton, Harman, Haynes, Maze, Pavley, Plescia, and Wyland—Aye.

Assembly Bill No. 1093, Concurrence: Canciamilla and Correa—Aye; Aghazarian, Garcia, Harman, Haynes, Maze, Nakanishi, Plescia, Spitzer, and Wyland—No.

Assembly Bill No. 1238, Concurrence: Garcia, Harman, McCarthy, Nakanishi, Plescia, and Spitzer—Aye; Aghazarian, Correa, Dutton, Haynes, La Malfa, Maze, Samuelian, and Wyland—No.

Assembly Bill No. 1479, Concurrence: Berg, Canciamilla, Garcia, Plescia, and Spitzer—Aye; Aghazarian, Correa, Dutton, Harman, Haynes, Maze, McCarthy, Nakanishi, and Wyland—No.

Assembly Bill No. 561, Concurrence: Calderon, Chavez, Frommer, Jerome Horton, and Salinas—Aye; Maldonado—No.

Assembly Bill No. 47, Concurrence: Jerome Horton and Maldonado—Aye; Correa and Haynes—No.

Assembly Bill No. 121, Concurrence: Shirley Horton and Spitzer—Aye; Haynes—No.

Chan Motion to Suspend Assembly Rule 69(d): Haynes and Mountjoy—No.

Senate Bill No. 1058: Pavley and Simitian—Aye; Correa, Haynes, and Shirley Horton—No.

Senate Bill No. 915: Correa, Pavley, and Simitian—Aye; Haynes—No.

Senate Bill No. 278: Chavez, Frommer, Nation, Pavley, Simitian, and Yee—Aye; Correa, Garcia, Haynes, Houston, and Mountjoy—No.

Senate Bill No. 605: Correa, Garcia, Haynes, Nation, Simitian, and Yee—Aye.

Senate Bill No. 973: Haynes, Nation, Simitian, and Yee—Aye.

Senate Bill No. 268: Haynes, Montanez, and Simitian—Aye.

Senate Bill No. 879: Haynes and Simitian—Aye.

Senate Bill No. 216: Garcia, Maldonado, and Simitian—Aye;
Haynes—No.

Senate Bill No. 403: Maldonado, Matthews, and Simitian—Aye;
Haynes—No.

Senate Bill No. 1055: Cohn and Correa—Aye; Haynes—No.

Senate Bill No. 436: Cohn, Haynes, Maddox, Mountjoy, Plescia,
Simitian, and Wyland—Aye.

Senate Bill No. 606: Simitian—Aye; Haynes, Houston, Maddox,
McCarthy, Mountjoy, and Plescia—No.

Senate Bill No. 966: Daucher, Dymally, Haynes, Maddox, Mountjoy,
and Simitian—Aye.

Senate Bill No. 578: Levine—Aye; Garcia, Haynes, and
Mountjoy—No.

Assembly Bill No. 68, Concurrence: Haynes—No.

Senate Bill No. 24: Pacheco, Plescia, Simitian, and Wyland—Aye;
Haynes—No.

Senate Bill No. 420: Haynes—No.

Senate Bill No. 814: Campbell, Maldonado, and Simitian—Aye.

Senate Bill No. 356: Jerome Horton and Levine—Aye.

Senate Bill No. 362: Garcia and Jerome Horton—Aye.

Senate Bill No. 294: Jerome Horton and Spitzer—Aye;
Haynes—No.

Senate Bill No. 1049: Haynes—No.

Senate Bill No. 1054: Bermudez, Correa, Daucher, and
Matthews—Aye; Garcia, Harman, Haynes, Maze, and Plescia—No.

Assembly Bill No. 1669, Concurrence: Harman, Maze, McCarthy,
Samuelian, and Simitian—Aye; Campbell and Haynes—No.

Assembly Bill No. 71, Concurrence: Daucher and McCarthy—Aye;
Haynes, Maldonado, and Maze—No.

Senate Bill No. 602, Montanez Amendments: Daucher and
Dutton—Aye.

Senate Bill No. 20: Correa—No.

MOTION TO ADJOURN

At 10 p.m., Assembly Member Reyes moved that the Assembly do
now adjourn.

Assembly Member Bermudez seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Maze, La Suer, and Dymally arose to speak on
the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Reyes that
the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:10 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 621

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Appropriations.

INTRODUCTION OF GUESTS

Speaker Wesson introduced Frances Burt, of Los Angeles.

Assembly Member Cox, of the 5th Assembly District, introduced former Assembly Member Steve Kuykendall.

ADJOURNMENT

At 10:10 p.m., pursuant to the motion by Assembly Member Reyes, the Assembly adjourned until 10:30 a.m., Thursday, September 11, 2003, out of respect to the memory of Gen. Raymond Davis, on motion of Assembly Member Bates; out of respect to the memory of John Ryan Carnegie, on motion of Assembly Member Frommer; out of respect to the memory of Professor Don Dahlsten, on motion of Assembly Member Hancock; and out of respect to the memory of Edward Teller, on motion of Assembly Member Houston.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 10, 2003**

The following measures were amended in the Assembly on this day:

AB	RN
152	0319503
1388	0320060
1592	0319671

SB	RN
25	0320054
439	0320173
570	0319875
602	0320051

Daily Total:	7
Cumulative Total:	2910

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, September 11, 2003

**ONE HUNDRED TWENTY-EIGHTH SESSION DAY
TWO HUNDRED EIGHTY-FOURTH 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, September 11, 2003

The Assembly met at 10:30 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 Daucher moved a quorum call of the Assembly.
Motion carried. Time, 10:31 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 10:46 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 AND PLEDGE OF ALLEGIANCE TO THE FLAG DEFERRED

Without objection the Prayer and Pledge of Allegiance to the Flag were deferred temporarily.

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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

REQUEST FOR PHOTOGRAPHER

Speaker Wesson was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**SEPTEMBER 11, 2003
MEMORIAL CEREMONY**

At 10:55 a.m., a special memorial ceremony was convened.

PRAYER

Upon invitation of Speaker Wesson, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, As we mark the two-year anniversary of the tragic events of September 11th, the memory of what happened and the images of that day will always be with us as individuals and as a nation. At that time, we offered prayerful remembrance of those who lost their lives—the innocent victims and those who offered their lives attempting to save others. As people of faith and hope, we continue to remember them, offering our prayers, love and ministry for their families.

September 11th altered our world in inconceivable ways, adding considerable stress to our daily lives and so we pray that those horrendous acts may never be repeated in the future. Grant our national leaders and our civil authorities wisdom and strength to protect this great land and its people from those who would do us harm.

And finally, *Lord,* on this September 11th, we ask that You grant rest to those innocent victims of two years ago. May their memory be eternal and may our memorials lead us to continued acts of love, service and peace.—AMEN.

September 11, 2003

Pledge of Allegiance to the Flag

Upon request of Speaker Wesson, Assembly Member Mullin then led the Assembly in the pledge of allegiance to the Flag.

Special Remarks

Minority Floor Leader Dave Cox and Speaker Herb Wesson offered remarks in tribute to those who lost their lives in the tragic events of September 11, 2001 in the terrorist attack on America.

Moment of Silence

The Assembly then observed a moment of silence.

National Anthem

The “Star Spangled Banner” was performed by Jamie Palmer, whereupon the special ceremony was concluded at 11:10 a.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 12, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 16

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

At 11:13 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 141—Runner. Relative to Four Chaplains Day.

CONSIDERATION OF SENATE BILL NO. 933 BY UNANIMOUS CONSENT

Assembly Member Nunez was granted unanimous consent to take up Senate Bill No. 933 out of order, for purpose of consideration.

SENATE BILL NO. 933 (Dunn)—An act to add Section 354.9 to the Code of Civil Procedure, relating to civil actions.

Bill read third time, and presented by Assembly Member Nunez.

Bill passed by the following vote:

AYES—69

Aghazarian	Frommer	Longville	Reyes
Bates	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Haynes	Matthews	Salinas
Calderon	Horton, Jerome	McCarthy	Samuelian
Canciamilla	Horton, Shirley	Montanez	Simitian
Chan	Houston	Mullin	Spitzer
Chavez	Jackson	Nakanishi	Steinberg
Chu	Keene	Nakano	Strickland
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wolk
Cox	Leno	Oropeza	Yee
Daucher	Leslie	Pacheco	Mr. Speaker
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	
Dutton	Liu	Plescia	

NOES—1

Mountjoy

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

Senate Bill No. 570, ordered to third reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 1009—An act to add Section 10295.1 to the Public Contract Code, and to amend Sections 6487 and 7101 of, and to add Sections 6452.1, 6487.3, and 18510 to, the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1064—An act to amend Sections 6902.2, 19047, 19333, and 19345 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 906—An act to add Sections 31000.10 and 37103.1 to the Government Code, relating to personal services contracting.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1004—An act to amend Sections 13271 and 13304 of, and to add Chapter 8.5 (commencing with Section 13610) to Division 7 of, the Water Code, relating to resources.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 666—An act to add Section 66412.8 to the Government Code, and to add Section 21080.29 to the Public Resources Code, relating to the environment.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

SENATE BILL NO. 439 (Committee on Public Employment and Retirement)—An act to amend Sections 20035.1 and 21363.4 of, and to add Sections 20035.2, 20035.3, and 22825.11 to, the Government Code, relating to state employees.

Bill read third time, and presented by Assembly Member Negrete McLeod.

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, 11:35 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 566 (Scott)—An act to amend Sections 7251.1, 7285, and 7285.5 of, to add Chapter 2.3 (commencing with Section 7285.9) to Part 1.7 of Division 2 of, and to repeal Sections 7251.3 and 7251.4 of, the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Assembly Member Chu.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Chu moved a call of the Assembly.

Motion carried. Time, 11:48 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 971, on request of Assembly Member Bermudez.

REPORTS OF STANDING COMMITTEES

Committee on Education

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 163

With the recommendation: That the Senate amendments be concurred in.

GOLDBERG, Chair

Above bill ordered to unfinished business.

Committee on Appropriations

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1405

Assembly Bill No. 1700

With the recommendation: That the Senate amendments be concurred in.

STEINBERG, Chair

Above bills ordered to unfinished business.

Committee on Jobs, Economic Development and the Economy

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Jobs, Economic Development and the Economy reports:

Assembly Bill No. 1532

With the recommendation: That Senate amendments be concurred in,

RIDLEY-THOMAS, Chair

Above bill ordered to unfinished business file.

Committee on Utilities and Commerce

Date of Hearing: September 11, 2003

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Assembly Bill No. 1685

With the recommendation: That Senate amendments be concurred in.

REYES, Chair

Above bill ordered to unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)****SENATE BILL NO. 853 (Escutia)**—An act to amend Section 1367 of, and to add Sections 1367.04 and 1367.07 to, the Health and Safety Code, and to add Sections 10133.8 and 10133.9 to the Insurance Code, relating to health care coverage.

Bill read third time, and presented by Assembly Member Frommer.

Bill passed by the following vote:

AYES—48

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
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	Pacheco	Mr. Speaker

NOES—30

Aghazarian	Garcia	Leslie	Richman
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maldonado	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Dutton	La Suer	Plescia	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 796 (Dunn)—An act to add Part 13 (commencing with Section 2698) to Division 2 of the Labor Code, relating to employment.

Bill read third time, and presented by Assembly Member Dutra.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Plescia moved a call of the Assembly.

Motion carried. Time, 12:46 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 131 (Sher)—An act to amend Section 11357 of the Health and Safety Code, and to amend Section 23222 of the Vehicle Code, relating to controlled substances.

Bill read third time, and presented by Assembly Member Koretz.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Koretz moved a call of the Assembly.

Motion carried. Time, 12:49 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE CONCURRENT RESOLUTION NO. 49 (Burton)—Relative to prevailing wage rates.

Resolution read, presented by Assembly Member Leno, and adopted by the following vote:

AYES—49

Berg	Frommer	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Kehoe	Mullin	Vargas
Chu	Koretz	Nakano	Wiggins
Cohn	Laird	Nation	Wolk
Corbett	Leno	Negrete McLeod	Yee
Correa	Levine	Nunez	Mr. Speaker
Diaz	Lieber	Oropeza	
Dutra	Liu	Parra	
Dymally	Longville	Pavley	

NOES—28

Aghazarian	Daucher	Keene	Nakanishi
Bates	Dutton	La Malfa	Pacheco
Benoit	Garcia	La Suer	Plescia
Bogh	Harman	Leslie	Richman
Campbell	Haynes	Maze	Runner
Cogdill	Horton, Shirley	McCarthy	Samuelian
Cox	Houston	Mountjoy	Wyland

Resolution ordered transmitted to the Senate.

At 12:57 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 439**

At 12:58 p.m., in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Strickland's call of the Assembly was continued.

Motion carried. Time, 12:58 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 566**

At 12:59 p.m., on motion of Assembly Member Chu, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 566 passed by the following vote:

AYES—43

Berg	Dymally	Lieber	Reyes
Bermudez	Frommer	Liu	Ridley-Thomas
Calderon	Goldberg	Longville	Salinas
Canciamilla	Hancock	Lowenthal	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Pavley	

NOES—35

Aghazarian	Dutton	Leslie	Parra
Bates	Garcia	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Matthews	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Bill ordered transmitted to the Senate.

**UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 327 (Runner)—An act to amend Sections 1465.5 and 1465.6 of the Penal Code, and to amend Sections 22511.55, 22511.59, 42001, and 42001.5 of, and to add Sections 4461.3 and 42001.13 to, 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—77

Aghazarian	Dutton	Lieber	Plescia
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
Cogdill	Kehoe	Nakanishi	Wiggins
Cohn	Koretz	Nakano	Wolk
Corbett	La Malfa	Nation	Wyland
Correa	La Suer	Nunez	Yee
Cox	Laird	Oropeza	Mr. Speaker
Daucher	Leno	Pacheco	
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 327: Assembly Member Negrete McLeod, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 413 (Goldberg)—An act to add Section 5003.18 to the Public Resources Code, relating to state property.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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**Vote Changes**

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 413: Assembly Member Ridley-Thomas, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 677 (Firebaugh)—An act to add Section 21152.1 to the Public Resources Code, relating to environmental quality.

Bill presented by Assembly Member Montanez.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—69

Aghazarian	Frommer	Liu	Plescia
Bates	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Salinas
Campbell	Horton, Jerome	Matthews	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Nation	Wolk
Correa	La Suer	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—10

Benoit	Cox	Maze	Strickland
Bogh	Haynes	Mountjoy	
Cogdill	Keene	Runner	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 677: Assembly Members McCarthy and Samuelian, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 826 (Jackson)—An act to amend Section 25404 of, to add Section 25504.1 to, and to add Article 10.01 (commencing with Section 25210.5) and Article 12.5 (commencing with Section 25249.1) to Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—60

Aghazarian	Dutton	Lieber	Parra
Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Plescia
Bogh	Garcia	Lowenthal	Reyes
Calderon	Goldberg	Maddox	Richman
Canciamilla	Hancock	Maldonado	Ridley-Thomas
Chan	Harman	Matthews	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Horton, Shirley	Mountjoy	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	Koretz	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—19

Bates	Haynes	Leslie	Runner
Benoit	Houston	Maze	Samuelian
Campbell	Keene	McCarthy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Cox	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 897 (Jackson)—An act to amend Sections 13264, 13268, 13321, 13350, 13372, 13383, 13385, and 13387 of the Water Code, relating to water.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—45

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	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
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—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	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 899 (Wiggins)—An act to amend Section 1299.3 of the Code of Civil Procedure, and to amend Section 19134 of the Government Code, relating to public employment relations.

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—66

Aghazarian	Frommer	Lowenthal	Reyes
Berg	Garcia	Maddox	Richman
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Bogh	Hancock	Matthews	Salinas
Calderon	Horton, Jerome	McCarthy	Samuelian
Canciamilla	Horton, Shirley	Montanez	Simitian
Chan	Jackson	Mullin	Spitzer
Chavez	Keene	Nakanishi	Steinberg
Chu	Kehoe	Nakano	Strickland
Cohn	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Correa	Leno	Nunez	Wolk
Daucher	Leslie	Oropeza	Wyland
Diaz	Levine	Pacheco	Yee
Dutra	Lieber	Parra	Mr. Speaker
Dutton	Liu	Pavley	
Dymally	Longville	Plescia	

NOES—13

Bates	Cox	La Malfa	Runner
Benoit	Harman	La Suer	
Campbell	Haynes	Maze	
Cogdill	Houston	Mountjoy	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 899: Assembly Members Maddox and Strickland, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1017 (Goldberg)—An act to add Sections 59001.2 and 59001.4 to, and to add Article 4 (commencing with Section 59050) to Chapter 1 of Part 32 of, the Education Code, relating to teachers.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—57

Bates	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Horton, Jerome	McCarthy	Salinas
Calderon	Horton, Shirley	Montanez	Samuelian
Campbell	Jackson	Mountjoy	Spitzer
Canciamilla	Kehoe	Mullin	Steinberg
Chan	Koretz	Nakano	Wiggins
Chavez	La Malfa	Nation	Wolk
Chu	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Daucher	Levine	Parra	Mr. Speaker
Diaz	Lieber	Pavley	
Dymally	Liu	Plescia	
Frommer	Longville	Reyes	

NOES—15

Aghazarian	Dutra	Houston	Maze
Benoit	Dutton	Keene	Nakanishi
Cogdill	Harman	La Suer	Strickland
Cox	Haynes	Leslie	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1017: Assembly Member Negrete McLeod, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1208 (Cogdill)—An act to add Section 1091.4 to the Government Code, relating to conflicts of interest.

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	Lieber	Parra
Bates	Dutton	Liu	Pavley
Benoit	Dymally	Longville	Plescia
Berg	Frommer	Lowenthal	Reyes
Bermudez	Garcia	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Calderon	Haynes	Matthews	Runner
Campbell	Horton, Jerome	Maze	Salinas
Canciamilla	Horton, Shirley	McCarthy	Samuelian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	La Malfa	Nakano	Wiggins
Corbett	La Suer	Nation	Wolk
Correa	Laird	Negrete McLeod	Wyland
Cox	Leno	Nunez	Yee
Daucher	Leslie	Oropeza	Mr. Speaker
Diaz	Levine	Pacheco	

NOES—1

Koretz

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1290 (Jackson)—An act to amend Sections 646.91, 836, and 12021 of the Penal Code, and to amend Section 15657.03 of the Welfare and Institutions Code, relating to firearms.

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	Dutra	Leslie	Parra
Bates	Dutton	Levine	Pavley
Benoit	Dymally	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Haynes	Matthews	Samuelian
Chan	Horton, Jerome	McCarthy	Smitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Houston	Mullin	Steinberg
Cogdill	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—1

Mountjoy

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1308 (Goldberg)—An act to amend Section 11880 of, and to add Sections 11755.6, 11755.7, 11755.8, and 11880.5 to, the Health and Safety Code, and to add Section 4032 to the Penal Code, relating to drug treatment.

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	Lieber	Pavley
Bermudez	Garcia	Liu	Reyes
Calderon	Goldberg	Longville	Richman
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Diaz	Laird	Nunez	Wolk
Dutra	Leno	Oropeza	Yee
Dymally	Levine	Parra	Mr. Speaker

NOES—30

Aghazarian	Daucher	Leslie	Plescia
Bates	Dutton	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Correa	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1308: Assembly Member Maldonado, from “Aye” to “No”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1497 (Montanez)—An act to amend Sections 44004 and 45011 of, and to add Section 43501.5 to, the Public Resources Code, relating to solid waste.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Montanez moved a call of the Assembly.

Motion carried. Time, 1:33 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

CAUCUS ANNOUNCEMENTS

At 1:33 p.m., Assembly Member Cox was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 1:33 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 2:19 p.m., the Assembly reconvened.
Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 269

Senate Bill No. 686

With the recommendation: Do pass.

STEINBERG, Chair

Above bills ordered to second reading.

Committee on Governmental Organization

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Senate Bill No. 411

With the recommendation: Do pass.

JEROME HORTON, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: September 11, 2003

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 460

With the recommendation: Do pass.

DUTRA, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1524 (Richman)—An act to amend Sections 12699.51, 12699.53, 12699.54, and 12699.62 of the Insurance Code, relating to health care coverage.

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	Levine	Pacheco
Bates	Dymally	Lieber	Parra
Benoit	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Nation	Wolk
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Oropeza	Mr. Speaker

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1551 (Kehoe)—An act to add Article 3 (commencing with Section 9700) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—53

Bates	Dymally	Longville	Reyes
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maldonado	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Horton, Shirley	Mullin	Vargas
Chavez	Jackson	Nakano	Wiggins
Chu	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Wyland
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Plescia	

NOES—26

Aghazarian	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1587 (Committee on Public Employees, Retirement and Social Security)—An act to amend Sections 31520.1 and 31520.5 of, and to add Section 31485.9 to the Government Code, relating to local public employees' retirement.

Bill ordered 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—49

Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Cohn	Laird	Negrete McLeod	Wyland
Corbett	Leno	Nunez	Yee
Correa	Levine	Oropeza	Mr. Speaker
Diaz	Lieber	Parra	
Dutra	Liu	Pavley	
Dymally	Longville	Reyes	

NOES—28

Aghazarian	Dutton	La Malfa	Pacheco
Bates	Garcia	La Suer	Plescia
Benoit	Harman	Leslie	Richman
Bogh	Haynes	Maze	Runner
Campbell	Horton, Shirley	McCarthy	Samuelian
Cogdill	Houston	Mountjoy	Spitzer
Daucher	Keene	Nakanishi	Strickland

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1587: Assembly Member Samuelian, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1676 (Dutra)—An act to amend Sections 125085, 125090, and 125107 of, and to add Section 125092 to, the Health and Safety Code, relating to AIDS.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

MESSAGES FROM THE SENATE

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 94	Assembly Bill No. 1130
Assembly Bill No. 403	Assembly Bill No. 1133
Assembly Bill No. 455	Assembly Bill No. 1277
Assembly Bill No. 490	Assembly Bill No. 1360
Assembly Bill No. 491	Assembly Bill No. 1668
Assembly Bill No. 806	

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, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 408	Assembly Bill No. 1506
Assembly Bill No. 626	Assembly Bill No. 1570
Assembly Bill No. 859	Assembly Bill No. 1601
Assembly Bill No. 1051	Assembly Bill No. 1723
Assembly Bill No. 1340	Assembly Bill No. 1760
Assembly Bill No. 1475	

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, September 11, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 519

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

ASSEMBLY BILL NO. 1688 (Goldberg)—An act to add and repeal Part 8.5 (commencing with Section 2050) of Division 2 of the Labor Code, relating to car washes.

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—42

Berg	Goldberg	Longville	Reyes
Bermudez	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Montanez	Salinas
Chu	Jackson	Mullin	Simitian
Cohn	Kehoe	Nakano	Steinberg
Corbett	Koretz	Nation	Vargas
Correa	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	

NOES—34

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maldonado	Runner
Benoit	Harman	Matthews	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Canciamilla	Houston	Mountjoy	Wolk
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Vote Changes

By unanimous consent, the following vote changes were permitted on Concurrence in Senate Amendments to Assembly Bill No. 1688: Assembly Members Matthews and Wolk, from “Aye” to “No”.

Above bill ordered enrolled.

At 2:32 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 522 (Diaz)—An act to add Section 1227 to the Government Code, relating to Matriculas Consular.

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	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Mathews	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
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—28

Aghazarian	Cox	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Haynes	Maddox	Runner
Bogh	Horton, Shirley	Maldonado	Samuelian
Campbell	Houston	McCarthy	Spitzer
Canciamilla	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following bills to committees as noted:

~~Assembly Bill No. 900, to the Committee on Governmental Organization;~~

Senate Bill No. 256, to the Committee on Appropriations.

(NOTE: Later this day, the action was rescinded whereby Assembly Bill No. 900 was re-referred to committee pursuant to Assembly Rule 77.2. See page 3800.)

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1719 (Committee on Labor and Employment)—An act to amend Sections 515.6, 3099.2, 3099.3, 3099.4, 6309, and 6315 of, and to add Section 3201.81 to, the Labor Code, relating to employment.

Bill presented by Assembly Member Koretz.

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—31

Aghazarian	Dutton	La Suer	Plescica
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1771 (Committee on Water, Parks and Wildlife)—An act relating to state government.

Bill presented by Assembly Member Canciamilla.

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	Pavley
Bates	Dutton	Lieber	Plescica
Benoit	Dymally	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Harman	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Simitian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakano	Vargas
Corbett	Kehoe	Nation	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker

NOES—7

Campbell	La Malfa	Mountjoy	Pacheco
Haynes	La Suer	Nakanishi	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 439**

At 2:38 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.

Senate Bill No. 439 passed by the following vote:

AYES—77

Aghazarian	Frommer	Liu	Plescia
Bates	Garcia	Longville	Reyes
Benoit	Goldberg	Lowenthal	Richman
Berg	Hancock	Maddox	Ridley-Thomas
Bermudez	Harman	Maldonado	Runner
Bogh	Haynes	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	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	
Dutton	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1326 (Simitian)—An act to add and repeal Article 15.3 (commencing with Section 8340) of Chapter 2 of Part 6 of the Education Code, relating to child care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1410 (Wolk)—An act to amend Sections 54220 and 54222 of the Government Code, relating to surplus land.

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—49

Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Spitzer
Chan	Jackson	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	
Dymally	Longville	Reyes	

NOES—30

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland
Cox	Keene	Nakanishi	
Daucher	La Malfa	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1410: Assembly Member Maldonado, from “Aye” to “No”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1485 (Firebaugh)—An act to amend Section 51700 of, to amend, repeal, and add Sections 60640 and 60642 of, and to add Sections 51701 and 51701.5 to, the Education Code, relating to schools.

Bill presented by Assembly Member Goldberg.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Garcia	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

NOES—31

Aghazarian	Dutton	Leslie	Plescia
Bates	Harman	Maddox	Richman
Benoit	Haynes	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 49 (Simitian)—An act to amend Section 13848.6 of the Penal Code, relating to crime.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

**SENATE BILL NO. 1072 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Levine was granted unanimous consent that the vote be reconsidered whereby the urgency clause to Senate Bill No. 1072 was refused adoption.

Further Consideration of Senate Bill No. 1072

SENATE BILL NO. 1072 (Burton)—An act to amend Section 82036 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Levine.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Levine moved a call of the Assembly.

Motion carried. Time, 3:02 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 279, on request of Assembly Member La Malfa.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1497**

At 3:06 p.m., on motion of Assembly Member Montanez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1497 by the following vote:

AYES—44

Berg	Dymally	Lieber	Pavley
Bermudez	Frommer	Liu	Reyes
Calderon	Goldberg	Longville	Ridley-Thomas
Chan	Hancock	Lowenthal	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Matthews	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Canciamilla	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 534 (Romero)—An act to add Section 6333 to the Labor Code, relating to employment.

Bill read third time, and presented by Assembly Member Koretz.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Koretz moved a call of the Assembly.

Motion carried. Time, 3:26 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

RULES TEMPORARILY SUSPENDED

Assembly Member Montanez was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 602.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 602 (Figueroa)—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

Bill read third time, and presented by Assembly Member Montanez.

Bill passed by the following vote:

AYES—50

Berg	Frommer	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maddox	Ridley-Thomas
Canciamilla	Horton, Jerome	Maldonado	Salinas
Chan	Horton, Shirley	Matthews	Simitian
Chavez	Jackson	Montanez	Steinberg
Chu	Kehoe	Mullin	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	Laird	Nation	Wolk
Correa	Leno	Negrete McLeod	Yee
Diaz	Levine	Nunez	Mr. Speaker
Dutra	Lieber	Oropeza	
Dymally	Liu	Parra	

NOES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maze	Samuelian
Benoit	Harman	McCarthy	Spitzer
Bogh	Haynes	Mountjoy	Strickland
Campbell	Houston	Nakanishi	Wyland
Cogdill	Keene	Pacheco	
Cox	La Malfa	Plescia	
Daucher	La Suer	Richman	

Bill ordered transmitted to the Senate.

BILL RETURNED TO SENATE

Assembly Member Koretz was granted unanimous consent that Assembly Bill No. 1723 be returned to the Senate for further action.

ACTION RESCINDED ON ASSEMBLY BILL NO. 900

Assembly Member Chan was granted unanimous consent to rescind the action whereby earlier this day (Assembly Journal, page 3792), Assembly Bill No. 900 was re-referred to the Committee on Governmental Organization pursuant to Assembly Rule 77.2.

CONSIDERATION OF SUPPLEMENTAL FILE

The following items on the Supplemental File were taken up.

**CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS**

SENATE BILL NO. 269—An act to add Section 22212.5 to the Education Code, and to amend Section 20098 of the Government Code, relating to public employees' retirement.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 686—An act to amend Section 674.6 of, to add Section 674.9 to, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of, the Insurance Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to long-term care facilities.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 411—An act to add Section 12012.35 to the Government Code, relating to tribal gaming.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 460—An act to add Section 7104.1 to the Revenue and Taxation Code, and to amend Section 5 of Chapter 898 of the Statutes of 1997, relating to local government.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 94 (Chu)—An act to amend Section 96.31 of the Revenue and Taxation Code, relating to property taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Chu moved a call of the Assembly.

Motion carried. Time, 3:40 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 455 (Chu)—An act to add Article 10.3 (commencing with Section 25214.11) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—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—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1133 (Koretz)—An act to add Section 241 to the Labor Code, relating to employment.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Koretz moved a call of the Assembly.

Motion carried. Time, 3:45 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 1277 (Cohn)—An act to amend Sections 14998.2 and 14998.4 of, to add Sections 14998.11 and 14998.12 to, and to add Chapter 1.4 (commencing with Section 15363.60) to Part 6.7 of Division 3 of Title 2 of, the Government Code, and to add Section 13848.8 to the Penal Code, relating to commissions and committees.

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	Dymally	Levine	Parra
Bates	Frommer	Lieber	Pavley
Benoit	Garcia	Liu	Plescia
Berg	Goldberg	Longville	Reyes
Bermudez	Hancock	Lowenthal	Richman
Bogh	Harman	Maddox	Ridley-Thomas
Calderon	Haynes	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mountjoy	Spitzer
Cogdill	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Daucher	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Wyland
Dutra	Leno	Oropeza	Yee
Dutton	Leslie	Pacheco	Mr. Speaker

NOES—1

Maze

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1668 (Salinas)—An act to amend Sections 8278.3, 54745, and 54749 of the Education Code, relating to child care funding.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	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	
Dutton	Levine	Parra	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 534**

At 3:53 p.m., on motion of Assembly Member Koretz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 534 refused passage by the following vote:

AYES—29

Bermudez	Goldberg	Longville	Simitian
Calderon	Hancock	Lowenthal	Steinberg
Chan	Kehoe	Montanez	Vargas
Chavez	Koretz	Mullin	Yee
Chu	Laird	Nation	Mr. Speaker
Correa	Leno	Nunez	
Diaz	Levine	Oropeza	
Dymally	Lieber	Ridley-Thomas	

NOES—36

Aghazarian	Daucher	Leslie	Parra
Bates	Dutton	Maddox	Plescia
Benoit	Harman	Maldonado	Richman
Berg	Haynes	Matthews	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Canciamilla	Keene	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	Wolk
Cox	La Suer	Pacheco	Wyland

**Motion to Reconsider Senate Bill No. 534
on Next Legislative Day**

Assembly Member Koretz moved to reconsider on the next legislative day the vote whereby Senate Bill No. 534 was this day refused passage.

Senate Bill No. 534 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 626 (Liu)—An act to add Section 39800.5 to the Education Code, and to add Section 10326.1 to the Public Contract Code, relating to motor 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—52

Benoit	Dymally	Lieber	Parra
Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Canciamilla	Hancock	Maldonado	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Horton, Shirley	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

NOES—27

Aghazarian	Dutton	Leslie	Plescia
Bates	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

Above bill ordered enrolled.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Elections, Redistricting and Constitutional Amendments be permitted to hold a special meeting today, off the Floor and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 530 for hearing.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Samuelian was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon his wife Houry Samuelian was introduced.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:05 p.m., by unanimous consent, the members of the Committee on Elections, Redistricting and Constitutional Amendments 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. 859 (Nakano)—An act relating to wetlands, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—64

Bates	Dutra	Lieber	Pavley
Benoit	Dymally	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Canciamilla	Harman	Matthews	Salinas
Chan	Horton, Jerome	McCarthy	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Wyland
Daucher	Leslie	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker

NOES—15

Aghazarian	Haynes	La Suer	Pacheco
Campbell	Houston	Maze	Samuelian
Cox	Keene	Mountjoy	Strickland
Dutton	La Malfa	Nakanishi	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1051 (Goldberg)—An act to amend Section 54999.1 of, to add Section 54999.7 to, and to add and repeal Section 54999.8 of, the Government Code, relating to local government.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Goldberg moved a call of the Assembly.

Motion carried. Time, 4:24 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 1506 (Negrete McLeod)—An act to add Section 1771.9 to the Labor Code, relating to public works.

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—50

Berg	Frommer	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Kehoe	Mullin	Strickland
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Correa	Levine	Nunez	Yee
Diaz	Lieber	Oropeza	Mr. Speaker
Dutra	Liu	Parra	
Dymally	Longville	Pavley	

NOES—29

Aghazarian	Dutton	La Suer	Richman
Bates	Garcia	Leslie	Runner
Benoit	Harman	Maze	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Horton, Shirley	Mountjoy	Wyland
Cogdill	Houston	Nakanishi	
Cox	Keene	Pacheco	
Daucher	La Malfa	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1506: Assembly Member Strickland, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1570 (Committee on Business and Professions)—An act to amend Section 10313 of the Public Contract Code, relating to public agencies.

Bill presented by Assembly Member Correa.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—2

Campbell Haynes

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1133**

At 4:28 p.m., on motion of Assembly Member Koretz, 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. 1133 by the following vote:

AYES—43

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Montanez	Salinas
Chavez	Horton, Jerome	Mullin	Simitian
Chu	Jackson	Nakano	Steinberg
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker
Dymally	Lieber	Pavley	

NOES—32

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maldonado	Richman
Bogh	Haynes	Matthews	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1601 (Frommer)—An act to amend Sections 18628, 19116, 19164, 19166, 19173, 19177, 19179, 19504, 19715, and 21028 of, to add Section 18407 to, to add Chapter 9.5 (commencing with Section 19751) to Part 10.2 of, and to repeal and add Section 18648 of, the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—48

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maldonado	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—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maddox	Samuelian
Benoit	Harman	Maze	Spitzer
Bogh	Haynes	Mountjoy	Strickland
Campbell	Houston	Nakanishi	Wyland
Cogdill	Keene	Pacheco	
Cox	La Malfa	Plescias	
Daucher	La Suer	Richman	

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 94**

At 4:32 p.m., on motion of Assembly Member Chu, 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. 94 by the following vote:

AYES—43

Berg	Dymally	Lieber	Reyes
Bermudez	Frommer	Liu	Ridley-Thomas
Calderon	Goldberg	Longville	Salinas
Canciamilla	Hancock	Lowenthal	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nation	Wiggins
Cohn	Koretz	Nunez	Wolk
Corbett	Laird	Oropeza	Yee
Diaz	Leno	Parra	Mr. Speaker
Dutra	Levine	Pavley	

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Matthews	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1405 (Wolk)—An act to add Chapter 6.5 (commencing with Section 5808) to Division 5 of the Public Resources Code, relating to watersheds.

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	Dutra	Lieber	Parra
Bates	Dutton	Liu	Pavley
Benoit	Dymally	Longville	Plescia
Berg	Frommer	Lowenthal	Reyes
Bermudez	Garcia	Maddox	Richman
Bogh	Goldberg	Maldonado	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Runner
Campbell	Horton, Shirley	Maze	Salinas
Canciamilla	Houston	McCarthy	Samuelian
Chan	Jackson	Montanez	Simitian
Chavez	Keene	Mountjoy	Spitzer
Chu	Kehoe	Mullin	Steinberg
Cogdill	Koretz	Nakanishi	Strickland
Cohn	La Malfa	Nakano	Vargas
Corbett	La Suer	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Cox	Leno	Nunez	Wyland
Daucher	Leslie	Oropeza	Yee
Diaz	Levine	Pacheco	Mr. Speaker

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1700 (Laird)—An act to add Section 25353.5 to the Health and Safety Code, and to add Section 13177.7 to the Water Code, relating to hazardous substances, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—76

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
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mountjoy	Spitzer
Cogdill	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—3

Campbell Haynes Maze

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1532 (Nakano)—An act to add Chapter 4 (commencing with Section 13994) and Chapter 5 (commencing with Section 13999) to Part 4.7 of Division 3 of Title 2 of, and to add Chapter 3 (commencing with Section 15570) to Part 8.5 of Division 3 of Title 2 of, the Government Code, and to amend Section 22003 of the Public Utilities Code, relating to economic development.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—73

Aghazarian	Dutton	Longville	Reyes
Bates	Dymally	Lowenthal	Richman
Benoit	Frommer	Maddox	Ridley-Thomas
Berg	Garcia	Maldonado	Runner
Bermudez	Goldberg	Matthews	Salinas
Bogh	Hancock	Maze	Samuelian
Calderon	Horton, Jerome	McCarthy	Simitian
Canciamilla	Horton, Shirley	Montanez	Spitzer
Chan	Houston	Mullin	Steinberg
Chavez	Jackson	Nakanishi	Strickland
Chu	Keene	Nakano	Vargas
Cogdill	Kehoe	Nation	Wiggins
Cohn	La Suer	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Cox	Leslie	Pacheco	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Plescia	

NOES—4

Campbell	Haynes	La Malfa	Mountjoy
----------	--------	----------	----------

Above bill ordered enrolled.

At 4:39 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ASSEMBLY BILL NO. 1685 (Leno)—An act to amend Sections 353.2 and 379.5 of, and to add Section 379.6 to, the Public Utilities Code, relating to energy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—52

Berg	Garcia	Liu	Oropeza
Bermudez	Goldberg	Longville	Parra
Calderon	Hancock	Lowenthal	Pavley
Canciamilla	Harman	Maldonado	Reyes
Chavez	Horton, Jerome	Matthews	Ridley-Thomas
Chu	Horton, Shirley	Maze	Salinas
Cohn	Jackson	Montanez	Simitian
Corbett	Kehoe	Mullin	Steinberg
Correa	Koretz	Nakanishi	Vargas
Diaz	Laird	Nakano	Wiggins
Dutra	Leno	Nation	Wolk
Dymally	Levine	Negrete McLeod	Yee
Frommer	Lieber	Nunez	Mr. Speaker

NOES—26

Aghazarian	Daucher	Leslie	Runner
Bates	Dutton	Maddox	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Pacheco	Wyland
Cogdill	La Malfa	Plescia	
Cox	La Suer	Richman	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1340 (Kehoe)—An act to amend Sections 25354 and 25364 of the Public Resources Code, relating to energy.

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—63

Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Salinas
Calderon	Horton, Jerome	Matthews	Samuelian
Canciamilla	Horton, Shirley	Montanez	Simitian
Chavez	Houston	Mullin	Spitzer
Chu	Jackson	Nakano	Steinberg
Cohn	Keene	Nation	Strickland
Corbett	Kehoe	Negrete McLeod	Vargas
Correa	Laird	Nunez	Wiggins
Cox	Leno	Oropeza	Wolk
Daucher	Leslie	Pacheco	Wyland
Diaz	Levine	Parra	Yee
Dutra	Lieber	Pavley	Mr. Speaker
Dymally	Liu	Plescia	

NOES—12

Aghazarian	Dutton	La Suer	Mountjoy
Bogh	Haynes	Maze	Nakanishi
Campbell	La Malfa	McCarthy	Runner

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1340: Assembly Member Aghazarian, from "Aye" to "No".

Above bill ordered enrolled.

At 4:44 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 163 (Nation)—An act to amend Section 33143 of, and to add and repeal Section 52086.5, of the Education Code, relating to public 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—45

Benoit	Frommer	Longville	Ridley-Thomas
Berg	Goldberg	Lowenthal	Salinas
Bermudez	Hancock	Matthews	Simitian
Calderon	Horton, Jerome	Montanez	Steinberg
Canciamilla	Jackson	Mullin	Vargas
Chan	Kehoe	Nakano	Wiggins
Chavez	Koretz	Nation	Wolk
Chu	Laird	Nunez	Yee
Corbett	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	
Dymally	Liu	Richman	

NOES—30

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Horton, Shirley	Maze	Spitzer
Correa	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland
Daucher	La Malfa	Nakanishi	
Dutton	La Suer	Pacheco	

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 808

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

SENATE BILL NO. 808 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING

Assembly Member Lowenthal was granted unanimous consent to take up Senate Bill No. 808 without reference to file, for the purpose of reading the bill a second time and adopting the committee amendments at this time.

SENATE BILL NO. 808—An act to repeal and add Section 6385 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted.

Consideration of Senate Bill No. 808 by Unanimous Consent

Assembly Member Lowenthal was granted unanimous consent to take up Senate Bill No. 808 without reference to file, for purpose of consideration.

SENATE BILL NO. 808 (Karnette)—An act to repeal and add Section 6385 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time, and presented by Assembly Member Lowenthal.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Frommer	Lieber	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Campbell	Haynes	Matthews	Salinas
Chan	Horton, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Houston	Montanez	Spitzer
Cogdill	Jackson	Mullin	Steinberg
Cohn	Keene	Nakanishi	Strickland
Corbett	Kehoe	Nakano	Vargas
Correa	Koretz	Nation	Wiggins
Cox	La Malfa	Negrete McLeod	Wolk
Daucher	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—1

Canciamilla

Bill ordered transmitted to the Senate immediately.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER SENATE BILL NO. 20

In compliance with a motion given on a previous day, Assembly Member Cox moved that the vote be reconsidered whereby Senate Bill No. 20 was passed.

Senate Bill No. 20 refused reconsideration by the following vote:

AYES—30

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Nakanishi	Wyland
Cox	Keene	Pacheco	
Daucher	La Malfa	Pavley	

NOES—46

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Hancock	Montanez	Simitian
Chan	Jackson	Mountjoy	Steinberg
Chavez	Kehoe	Mullin	Vargas
Chu	Koretz	Nakano	Wiggins
Cohn	Laird	Nation	Wolk
Corbett	Leno	Negrete McLeod	Yee
Correa	Levine	Nunez	Mr. Speaker
Diaz	Lieber	Oropeza	
Dutra	Liu	Parra	

Senate Bill No. 20 ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1051**

At 4:59 p.m., on motion of Assembly Member Goldberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 1051 by the following vote:

AYES—55

Aghazarian	Dutton	Levine	Oropeza
Bates	Dymally	Lieber	Plescia
Campbell	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Maddox	Salinas
Chavez	Horton, Jerome	Maldonado	Spitzer
Chu	Horton, Shirley	Matthews	Steinberg
Cogdill	Houston	Montanez	Vargas
Cohn	Keene	Mountjoy	Wiggins
Corbett	Kehoe	Mullin	Wolk
Correa	Koretz	Nakanishi	Wyland
Cox	La Malfa	Nakano	Yee
Diaz	Leno	Nation	Mr. Speaker
Dutra	Leslie	Nunez	

NOES—13

Benoit	Haynes	Pacheco	Strickland
Daucher	Laird	Parra	
Garcia	Liu	Samuelian	
Harman	Maze	Simitian	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1051: Assembly Member Benoit, from "Aye" to "No".

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 161 (Steinberg)—An act to amend Section 12076 of, and to repeal Section 12071 of, the Penal Code, and to amend Section 3 of Chapter 909 of the Statutes of 2002, and Section 4 of Chapter 911 of the Statutes of 2002, relating to firearms, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Motion to Re-refer Assembly Bill No. 161 to Committee

Assembly Member Cogdill moved that Assembly Bill No. 161 be re-referred to the Committee on Appropriations.

Assembly Member Strickland seconded the motion.

Motion lost by the following vote:

AYES—31

Aghazarian	Daucher	La Malfa	Pacheco
Bates	Dutton	La Suer	Plescia
Benoit	Garcia	Leslie	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Cogdill	Horton, Shirley	McCarthy	Strickland
Correa	Houston	Mountjoy	Wyland
Cox	Keene	Nakanishi	

NOES—46

Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Maddox	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Parra	
Frommer	Longville	Pavley	

Motion to Re-refer Assembly Bill No. 161 to Committee

Assembly Member Strickland moved that Assembly Bill No. 161 be re-referred to the Committee on Budget.

Assembly Member Cogdill seconded the motion.

**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. 161 to the Committee on Appropriations.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1042, on request of Assembly Member Parra.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1640 (Laird)—An act to amend Sections 25404, 25404.1.1, 25404.3, 25501.4, 25532, and 25540 of, and to add Section 25404.1.3 to, the Health and Safety Code, relating to hazardous materials.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—48

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Goldberg	Lowenthal	Reyes
Canciamilla	Hancock	Maldonado	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—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Above bill ordered enrolled.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Reyes announced her intention to request that Senate Bill No. 707 be removed from the inactive file.

(NOTE: Later this day, the action was rescinded whereby intention to remove Senate Bill No. 707 from the inactive file was noticed. See page 3824.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1492 (Laird)—An act to amend Section 51257 of, and to add Section 51250 to, the Government Code, relating to agricultural land conservation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dutton	Liu	Plescia
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	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	
Dutra	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 274 (Soto)—An act to add Article 11.5 (commencing with Section 31770) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to public employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Negrete McLeod moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1074 (Committee on Environmental Quality)—An act to amend Section 115840.5 of, and to amend and repeal Section 115825 of, the Health and Safety Code, and to amend Sections 21061.0.5, 21080.5, 21092, 21159.21, 48003, and 72410 of the Public Resources Code, relating to environmental health, and declaring the urgency thereof, to take effect immediately.

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. 41 (Bowen)—An act to amend Sections 10430, 10515, 10518, and 10526 of, to add Article 2.5 (commencing with Section 10510.4) to Chapter 2.1 of, and to add Article 7.8 (commencing with Section 10830) to Chapter 2.5 of, Part 2 of Division 2 of, the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

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.

RULES TEMPORARILY SUSPENDED

Assembly Member Jackson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 25.

SENATE BILL NO. 25 (Bowen)—An act to amend Sections 1785.11.1, 1785.11.6, 1786.60, and 1798.85 of the Civil Code, relating to personal information.

Bill read third time, and presented by Assembly Member Jackson.

Bill passed by the following vote:

AYES—61

Aghazarian	Garcia	Liu	Reyes
Berg	Goldberg	Longville	Richman
Bermudez	Hancock	Lowenthal	Ridley-Thomas
Bogh	Harman	Maddox	Salinas
Calderon	Horton, Jerome	Maldonado	Simitian
Canciamilla	Horton, Shirley	Matthews	Spitzer
Chan	Houston	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Keene	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Parra	
Dymally	Levine	Pavley	
Frommer	Lieber	Plescia	

NOES—18

Bates	Daucher	Maze	Runner
Benoit	Dutton	McCarthy	Samuelian
Campbell	Haynes	Mountjoy	Strickland
Cogdill	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 25: Assembly Members Plescia and Wyland, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

SENATE BILL NO. 33 (Figueroa)—An act to amend Sections 17590, 17591, 17592, 17593, and 17594 of, and to repeal Section 17595 of, the Business and Professions Code, relating to telephone solicitations, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Canciamilla.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	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	Leslie	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—None

Motion to Amend Pursuant to Joint Rule 23.5

Assembly Member Canciamilla moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

CAUCUS ANNOUNCEMENTS

At 5:40 p.m., by unanimous consent, the Democratic Caucus is permitted to meet in the Assembly Lounge, and the Republican Caucus is permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 5:40 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 6:52 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 11, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 170

Assembly Bill No. 1082

And reports the same correctly enrolled, and presented to the Governor on the 11th day of September, 2003, at 6:15 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

September 11, 2003

*Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Assembly Bill No. 900 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Ordered to the unfinished business file.

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 579
Assembly Bill No. 679
Assembly Bill No. 1145

Assembly Bill No. 1151
Assembly Bill No. 1631

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, September 11, 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. 15
Senate Bill No. 19
Senate Bill No. 67
Senate Bill No. 71
Senate Bill No. 78
Senate Bill No. 83
Senate Bill No. 125
Senate Bill No. 146
Senate Bill No. 186
Senate Bill No. 226
Senate Bill No. 238
Senate Bill No. 244
Senate Bill No. 248
Senate Bill No. 259
Senate Bill No. 261
Senate Bill No. 262
Senate Bill No. 277
Senate Bill No. 288
Senate Bill No. 314
Senate Bill No. 317
Senate Bill No. 322
Senate Bill No. 331

Senate Bill No. 352
Senate Bill No. 358
Senate Bill No. 359
Senate Bill No. 377
Senate Bill No. 412
Senate Bill No. 418
Senate Bill No. 469
Senate Bill No. 476
Senate Bill No. 495
Senate Bill No. 549
Senate Bill No. 551
Senate Bill No. 556
Senate Bill No. 582
Senate Bill No. 588
Senate Bill No. 591
Senate Bill No. 599
Senate Bill No. 611
Senate Bill No. 614
Senate Joint Resolution No. 6
Senate Concurrent Resolution No. 6
Senate Concurrent Resolution No. 48

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 11, 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. 620 | Senate Bill No. 821 |
| Senate Bill No. 627 | Senate Bill No. 842 |
| Senate Bill No. 640 | Senate Bill No. 857 |
| Senate Bill No. 644 | Senate Bill No. 868 |
| Senate Bill No. 649 | Senate Bill No. 892 |
| Senate Bill No. 654 | Senate Bill No. 916 |
| Senate Bill No. 692 | Senate Bill No. 923 |
| Senate Bill No. 700 | Senate Bill No. 930 |
| Senate Bill No. 704 | Senate Bill No. 937 |
| Senate Bill No. 705 | Senate Bill No. 964 |
| Senate Bill No. 708 | Senate Bill No. 1016 |
| Senate Bill No. 709 | Senate Bill No. 1055 |
| Senate Bill No. 719 | Senate Bill No. 1061 |
| Senate Bill No. 810 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 11, 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. 24 | Senate Bill No. 578 |
| Senate Bill No. 216 | Senate Bill No. 605 |
| Senate Bill No. 268 | Senate Bill No. 606 |
| Senate Bill No. 278 | Senate Bill No. 814 |
| Senate Bill No. 294 | Senate Bill No. 853 |
| Senate Bill No. 306 | Senate Bill No. 879 |
| Senate Bill No. 356 | Senate Bill No. 915 |
| Senate Bill No. 362 | Senate Bill No. 966 |
| Senate Bill No. 420 | Senate Bill No. 973 |
| Senate Bill No. 436 | Senate Bill No. 1049 |
| Senate Bill No. 566 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 11, 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. 185.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 11, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 138
- Assembly Joint Resolution No. 49

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member La Suer was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his wife Lynn La Suer.

Assembly Member Maze was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting guests to sit at his desk in the Assembly Chamber, whereupon he introduced his wife Becky Maze.

ACTION RESCINDED ON SENATE BILL NO. 707

Assembly Member Reyes was granted unanimous consent to rescind the action whereby earlier this day she noticed intention to remove Senate Bill No. 707 from the inactive file (Assembly Journal, page 3818).

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. 900 to the Committee on Governmental Organization.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Governmental Organization be permitted to hold a special meeting today, upon adjournment of Floor session, in Room 4202, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 900 for hearing.

ASSEMBLY BILL NO. 1101 ORDERED ENROLLED

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 1101 be ordered returned to Enrollment.

CONSIDERATION OF BILLS BY UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent that the following bills on the second reading file be ordered to the third reading file for purpose of consideration today:

Senate Bills Nos. 570, 1009, 1064, 906, 1004, and 666.

REPORTS OF STANDING COMMITTEES**Committee on Elections, Redistricting and Constitutional Amendments**

Date of Hearing: September 11, 2003

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Senate Bill No. 530

With the recommendation: Do pass.

LONGVILLE, Chair

Above bill ordered to second reading.

Committee on Appropriations

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 328

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: September 11, 2003

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 7

With amendments with the recommendation: Amend, and be adopted as amended.

NATION, Chair

Above resolution ordered to second reading.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Assembly Member Chan was granted unanimous consent to take up the following bills, without reference to file, for purpose of second reading and adoption of committee amendments, and that the bills be ordered to third reading.

SENATE BILL NO. 530—An act to add and repeal Section 7310 of the Elections Code, relating to elections.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 328—An act to amend Sections 68130.5 and 76300 of, and to add Section 66021.6 to, the Education Code, relating to student financial aid.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and ordered to third reading.

SENATE CONCURRENT RESOLUTION NO. 7—Relative to Ronald Reagan Day.

Resolution read; amendments proposed by the Committee on Rules read and adopted, resolution ordered reprinted and to be placed upon the third reading file.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 161 and Senate Bills Nos. 256, 621, and 1056 for hearing in the Committee on Appropriations today.

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

September 11, 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 Assemblymember Lloyd Levine to replace Assemblymember Marco Firebaugh on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 18 (Burton)—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, 21097, and 21097.5 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites.

Bill read third time, and presented by Assembly Member Steinberg.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 7:18 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

CONSIDERATION OF SUPPLEMENTAL FILE

Assembly Member Chan was granted unanimous consent that all measures on Supplemental File No. 3 be taken up for consideration.

CONSIDERATION OF SENATE BILL NO. 328 BY UNANIMOUS CONSENT

Assembly Member Calderon was granted unanimous consent to take up Senate Bill No. 328 without reference to file, for purpose of consideration.

SENATE BILL NO. 328 (Escutia)—An act to amend Sections 68130.5 and 76300 of, and to add Section 66021.6 to, the Education Code, relating to student financial aid.

Bill read third time, and presented by Assembly Member Calderon.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Mountjoy moved a call of the Assembly.

Motion carried. Time, 7:42 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE CONCURRENT RESOLUTION NO. 7 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Garcia was granted unanimous consent to take up Senate Concurrent Resolution No. 7, without reference to file.

SENATE CONCURRENT RESOLUTION NO. 7—Relative to Ronald Reagan Day.

Resolution read, and presented by Assembly Member Garcia.

Members Made Coauthors of Senate Concurrent Resolution No. 7

Assembly Member Garcia was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 7.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chavez, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Garcia, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Keene, Kehoe, Koretz, La Malfa, La Suer, Levine, Liu, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Runner, Salinas, Samuelian, Spitzer, Strickland, Vargas, Wesson, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Garcia was granted unanimous consent to take up Senate Concurrent Resolution No. 7, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 7, as Amended

SENATE CONCURRENT RESOLUTION NO. 7—Relative to Ronald Reagan Day.

Resolution read, as amended, and adopted by the following vote:

AYES—72

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Frommer	Liu	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	Matthews	Runner
Campbell	Haynes	Maze	Salinas
Canciamilla	Horton, Jerome	McCarthy	Samuelian
Chavez	Horton, Shirley	Mountjoy	Spitzer
Cogdill	Houston	Mullin	Steinberg
Cohn	Jackson	Nakanishi	Strickland
Corbett	Keene	Nakano	Vargas
Correa	Kehoe	Nation	Wiggins
Cox	Koretz	Negrete McLeod	Wolk
Daucher	La Malfa	Nunez	Wyland
Diaz	La Suer	Oropeza	Yee
Dutra	Laird	Pacheco	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 579 (Chu)—An act to amend Sections 290.1, 290.2, 291, 292, 293, 294, 295, and 366.21 of the Welfare and Institutions Code, relating to dependent children.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—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

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. 623 to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 679 (Chavez)—An act to add Article 6 (commencing with Section 10237) to Chapter 3 of Part 1 of Division 4 of, and to repeal Section 10229 of, the Business and Professions Code, relating to real estate.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1151 (Dymally)—An act to amend Section 911.4 of, and to add Section 6252.6 to, the Government Code, to amend Section 1527.6 of the Health and Safety Code, and to add Sections 16000.1 and 16501.15 to the Welfare and Institutions Code, relating to foster care.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—76

Aghazarian	Dutton	Lieber	Parra
Bates	Dymally	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Campbell	Harman	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	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	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.

ASSEMBLY BILL NO. 1631 (Salinas)—An act to amend Section 17071.46 of the Education Code, relating to public schools.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 1009 (Alpert)—An act to add Section 10295.1 to the Public Contract Code, and to amend Sections 6487 and 7101 of, and to add Sections 6452.1, 6487.3, and 18510 to, the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—43

Berg	Goldberg	Longville	Reyes
Bermudez	Hancock	Lowenthal	Ridley-Thomas
Calderon	Horton, Jerome	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nation	Vargas
Corbett	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker
Frommer	Liu	Pavley	

NOES—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	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1009: Assembly Member Cohn, from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 18**

At 8:21 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 8:23 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 8:24 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 328**

At 8:24 p.m., in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Mountjoy moved to continue the call of the Assembly.

Motion carried. Time, 8:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 570 (Chesbro)—An act to amend Sections 24001 and 25502.3 of the Government Code, to amend Section 830.1 of the Penal Code, and to amend Section 16809.4 of the Welfare and Institutions Code, relating to local government.

Bill read third time, and presented by Assembly Member Wiggins.

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Liu	Plescia
Bates	Dymally	Longville	Reyes
Benoit	Frommer	Lowenthal	Richman
Berg	Garcia	Maddox	Ridley-Thomas
Bermudez	Goldberg	Maldonado	Runner
Bogh	Hancock	Matthews	Salinas
Calderon	Harman	Maze	Samuelian
Campbell	Horton, Jerome	McCarthy	Simitian
Canciamilla	Horton, Shirley	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	
Dutra	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 906 (Alarcon)—An act to add Sections 31000.10 and 37103.1 to the Government Code, relating to personal services contracting.

Bill read third time, and presented by Assembly Member Leno.

Point of Order

Assembly Member Bogh arose to the following point of order:

Pursuant to Article IV, Sec. 8(b) of the Constitution, and Assembly Rule 64, Senate Bill No. 906 is not properly before the Body as copies have not been distributed to the Body.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order well-taken; that the current printed version of the bill would be made available, as well as the current PDF version on the Members' laptops.

Senate Bill No. 906 Passed Temporarily

By unanimous consent, Senate Bill No. 906 was passed temporarily on file.

SENATE BILL NO. 1004 (Soto)—An act to amend Sections 13271 and 13304 of, and to add Chapter 8.5 (commencing with Section 13610) to Division 7 of, the Water Code, relating to resources.

Bill read third time, and presented by Assembly Member Laird.

Bill passed by the following vote:

AYES—55

Berg	Dutton	Lieber	Pavley
Bermudez	Dymally	Liu	Reyes
Bogh	Frommer	Longville	Richman
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Harman	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mullin	Steinberg
Cohn	Jackson	Nakano	Vargas
Corbett	Kehoe	Nation	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Parra	

NOES—24

Aghazarian	Garcia	Leslie	Pacheco
Bates	Haynes	Maddox	Plescia
Benoit	Houston	Maze	Runner
Campbell	Keene	McCarthy	Samuelian
Cogdill	La Malfa	Mountjoy	Strickland
Cox	La Suer	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 1004: Assembly Member Shirley Horton, from "No" to "Aye".

Bill ordered transmitted to the Senate.

SENATE BILL NO. 269 (Soto)—An act to add Section 22212.5 to the Education Code, and to amend Section 20098 of the Government Code, relating to public employees' retirement.

Bill read third time, and presented by Assembly Member Laird.

Bill passed by the following vote:

AYES—76

Aghazarian	Dutra	Leslie	Pacheco
Bates	Dutton	Levine	Parra
Benoit	Dymally	Lieber	Pavley
Berg	Frommer	Liu	Plescia
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mountjoy	Spitzer
Cogdill	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee

NOES—2

Haynes

Maze

Bill ordered transmitted in the Senate.

SENATE BILL NO. 122 (Escutia)—An act to add Sections 17204.6 and 17204.9 to, and to repeal and add Section 17204.7 of, the Business and Professions Code, and to repeal Section 4 of Chapter ___ of the Statutes of 2003, relating to unfair competition.

Bill read third time, and presented by Assembly Member Corbett.

Point of Personal Privilege

Assembly Member Levine arose to a point of personal privilege.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Corbett moved a call of the Assembly.

Motion carried. Time, 9:46 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

FURTHER CONSIDERATION OF SENATE BILL NO. 906

SENATE BILL NO. 906 (Alarcon)—An act to add Sections 31000.10 and 37103.1 to the Government Code, relating to personal services contracting.

Bill read third time, and presented by Assembly Member Leno.

Point of Order

Assembly Member Keene arose to the following point of order:

Pursuant to Assembly Rule 92, the amendments to Senate Bill No. 906 are not germane to the bill.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order not well-taken; that the amendments are germane to the bill.

Motion to Appeal from the Decision of the Chair

Assembly Member Keene moved to appeal from the decision of the Chair.

The question being: Shall the decision of the Chair that the amendments contained in Senate Bill No. 906 are germane to the bill, be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maldonado	Samuelian
Benoit	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Campbell	Horton, Shirley	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Plescia	
Daucher	La Suer	Richman	

NOES—49

Berg	Frommer	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	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	Pacheco	
Dutra	Liu	Parra	
Dymally	Longville	Pavley	

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Leno moved a call of the Assembly.

Motion carried. Time, 9:59 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 328**

At 9:59 p.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 328 passed by the following vote:

AYES—45

Berg	Frommer	Liu	Ridley-Thomas
Bermudez	Garcia	Longville	Salinas
Calderon	Goldberg	Lowenthal	Simitian
Chan	Hancock	Matthews	Steinberg
Chavez	Horton, Jerome	Montanez	Vargas
Chu	Jackson	Mullin	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Yee
Correa	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Levine	Parra	
Dymally	Lieber	Reyes	

NOES—30

Aghazarian	Dutton	Leslie	Richman
Bates	Harman	Maddox	Runner
Benoit	Haynes	Maze	Samuelian
Bogh	Horton, Shirley	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Canciamilla	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 666 (Bowen)—An act to add Section 66412.8 to the Government Code, and to add Section 21080.29 to the Public Resources Code, relating to the environment.

Bill read third time, and presented by Assembly Member Nakano.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 18**

At 10:03 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 10:04 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1266 (Committee on Budget)—An act to amend Sections 8957, 44393, 52055.51, 52055.610, 52055.650, 53081, 53083, 60423, 69440, and 84750 of, to amend and renumber Section 52055.52 of, to add Sections 18866, 41474, 52055.54, 54761.4, and 69999.3 to, to add Chapter 4.6 (commencing with Section 18880) to Part 11 of, to add and repeal Section 60422.1 of, to repeal Section 426 of, to repeal Article 4.2 (commencing with Section 18733) and Article 4.5 (commencing with Section 18735) of Chapter 4 of Part 11 of, and Article 5 (commencing with Section 60650) of Chapter 5 of Part 33 of, to repeal Chapter 7 (commencing with Section 99300) of Part 65 of, and to repeal and add Section 53084 of, the Education Code, and to amend Section 12.40 of Chapter 157 of, and amend Section 37 of Chapter 227 of, the Statutes of 2003, relating to schools, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—72

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	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	Montanez	Simitian
Chavez	Houston	Mountjoy	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—3

Campbell	Correa	La Malfa
----------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1266: Assembly Member Correa, from "Aye" to "No".

Above bill ordered enrolled.

ASSEMBLY BILL NO. 490 (Steinberg)—An act to amend Sections 48645.5, 48850, 48859, 49061, 49069.5, 49076, and 56055 of, and to add Sections 48853 and 48853.5 to, the Education Code, and to amend Sections 361, 366.27, 726, 727.2, 4570, 16000, and 16501.1 of the Welfare and Institutions Code, relating to minors.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—1

Campbell

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1360 (Steinberg)—An act to add Chapter 4 (commencing with Section 71080) to Part 2 of Division 34 of the Public Resources Code, relating to environmental quality.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—52

Berg	Dymally	Liu	Parra
Bermudez	Frommer	Longville	Pavley
Calderon	Garcia	Lowenthal	Reyes
Canciamilla	Goldberg	Maddox	Richman
Chan	Hancock	Maldonado	Ridley-Thomas
Chavez	Horton, Jerome	Matthews	Salinas
Chu	Jackson	Montanez	Simitian
Cohn	Kehoe	Mullin	Steinberg
Corbett	Koretz	Nakano	Vargas
Correa	Laird	Nation	Wiggins
Daucher	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker

NOES—26

Aghazarian	Dutton	Leslie	Runner
Bates	Harman	Maze	Samuelian
Benoit	Horton, Shirley	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 408 (Steinberg)—An act to amend Sections 349, 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, 16500.1, and 16501.1 of, and to add Section 362.05 to, the Welfare and Institutions Code, relating to dependent children.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1475 (Steinberg)—An act to amend Sections 50675.14, 53315, and 53533 of the Health and Safety Code, and to amend Sections 5806 and 5814 of the Welfare and Institutions 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—57

Bates	Dutton	Liu	Reyes
Berg	Dymally	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Calderon	Goldberg	Maldonado	Simitian
Canciamilla	Hancock	Matthews	Spitzer
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mullin	Vargas
Chu	Jackson	Nakano	Wiggins
Cohn	Kehoe	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Yee
Correa	Laird	Nunez	Mr. Speaker
Daucher	Leno	Oropeza	
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	

NOES—20

Aghazarian	Houston	Maze	Plescia
Benoit	Keene	McCarthy	Runner
Campbell	La Malfa	Mountjoy	Samuelian
Cox	La Suer	Nakanishi	Strickland
Harman	Leslie	Pacheco	Wyland

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 796**

At 10:25 p.m., on motion of Assembly Member Plescia, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Campbell moved to continue the call of the Assembly.

Motion carried. Time, 10:25 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 686 (Ortiz)—An act to amend Section 674.6 of, to add Section 674.9 to, and to add Chapter 5 (commencing with Section 11890) to Part 3 of Division 2 of, the Insurance Code, and to amend Section 14126.02 of the Welfare and Institutions Code, relating to long-term care facilities.

Bill read third time, and presented by Assembly Member Chu.

Bill passed by the following vote:

AYES—57

Benoit	Frommer	Lowenthal	Reyes
Berg	Garcia	Maddox	Richman
Bermudez	Goldberg	Maldonado	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Horton, Shirley	Mullin	Steinberg
Chavez	Houston	Nakanishi	Strickland
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Diaz	Lieber	Pacheco	
Dutra	Liu	Parra	
Dymally	Longville	Pavley	

NOES—18

Aghazarian	Harman	Maze	Samuelian
Bates	Keene	McCarthy	Spitzer
Bogh	La Malfa	Mountjoy	Wyland
Campbell	La Suer	Plescia	
Cogdill	Leslie	Runner	

Bill ordered transmitted to the Senate.

SENATE BILL NO. 411 (Ducheny)—An act to add Section 12012.35 to the Government Code, relating to tribal gaming.

Bill read third time, and presented by Assembly Member Jerome Horton.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Jerome Horton moved a call of the Assembly.

Motion carried. Time, 10:47 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 460 (Alpert)—An act to add Section 7104.1 to the Revenue and Taxation Code, and to amend Section 5 of Chapter 898 of the Statutes of 1997, relating to local government.

Bill read third time, and presented by Assembly Member Yee.

Bill passed by the following vote:

AYES—73

Aghazarian	Dutton	Liu	Reyes
Bates	Dymally	Longville	Richman
Benoit	Frommer	Lowenthal	Ridley-Thomas
Berg	Garcia	Maddox	Runner
Bermudez	Goldberg	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	Maze	Simitian
Campbell	Horton, Jerome	McCarthy	Spitzer
Canciamilla	Horton, Shirley	Montanez	Steinberg
Chan	Houston	Mullin	Strickland
Chavez	Jackson	Nakanishi	Vargas
Chu	Keene	Nakano	Wiggins
Cogdill	Kehoe	Nation	Wolk
Cohn	La Malfa	Negrete McLeod	Wyland
Corbett	La Suer	Nunez	Yee
Cox	Laird	Pacheco	Mr. Speaker
Daucher	Leslie	Parra	
Diaz	Levine	Pavley	
Dutra	Lieber	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 131

At 10:49 p.m., on motion of Assembly Member Koretz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Koretz moved to continue the call of the Assembly.

Motion carried. Time, 10:49 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 796

At 10:52 p.m., on motion of Assembly Member Campbell, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Dutra moved to continue the call of the Assembly.

Motion carried. Time, 10:52 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

RULES TEMPORARILY SUSPENDED

Assembly Member Jackson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 1074, without reference to file.

SENATE BILL NO. 1074 (Committee on Environmental Quality)—An act to amend Section 115840.5 of, and to amend and repeal Section 115825 of, the Health and Safety Code, and to amend Sections 21061.0.5, 21080.5, 21092, 21159.21, 48003, and 72410 of the Public Resources Code, relating to environmental health.

Bill read third time, and presented by Assembly Member Jackson.

Bill passed by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	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	Wiggins
Cohn	La Malfa	Nation	Wolk
Corbett	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Diaz	Leslie	Pacheco	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

RULES TEMPORARILY SUSPENDED

Assembly Member Jackson was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 41, without reference to file.

SENATE BILL NO. 41 (Bowen)—An act to amend Sections 10430, 10515, 10518, and 10526 of, to add Article 2.5 (commencing with Section 10510.4) to Chapter 2.1 of, and to add Article 7.8 (commencing with Section 10830) to Chapter 2.5 of, Part 2 of Division 2 of, the Public Contract Code, relating to public contracts.

Bill read third time, and presented by Assembly Member Jackson.

Bill passed by the following vote:

AYES—75

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mullin	Steinberg
Chu	Keene	Nakanishi	Strickland
Cogdill	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	La Malfa	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 364 (Figueroa)—An act to amend Sections 144, 473.1, 473.2, 473.3, 2001, 2020, 2099.5, 2153.5, 2220.1, 2531, 3010.1, , 3014.6, 6732, 6732.3, 6732.4, and 7153.1 of, and to add Chapter 2 (commencing with Section 474) to, and to add a chapter heading to, Division 1.2 of, the Business and Professions Code, to amend Section 94900 of, and to add Sections 94779.1, 94779.3, and 94779.4 to, the Education Code, to amend Section 9148.8 of, to add Article 8.5 (commencing with Section 9148.50) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 9148.10 of, the Government Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Lowenthal moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 1080 (Committee on Business and Professions)—An act to amend Sections 1973, 2154.4, 5001, 5061, 5081, 5082, 5082.2, 5107, 5131, 7139.2, 7583.6, and 7583.9 of, to amend, add, and repeal Sections 10152 and 10153.3 of, to add Section 5115 to, to repeal Section 5091 of, and to repeal and add Section 5082.1 to, the Business and Professions Code, relating to professions and vocations, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Maldonado moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY
CLAUSE TO SENATE BILL NO. 1072**

At 10:59 p.m., on motion of Assembly Member Levine, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Senate Bill No. 1072 refused adoption by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—1

Haynes

CAUCUS ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced that the Democratic Caucus would meet on Friday, September 12, 2003, at 9 a.m., in the Assembly Lounge.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 906**

At 11:03 p.m., on motion of Assembly Member Leno, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 906 refused passage by the following vote:

AYES—34

Bermudez	Frommer	Longville	Salinas
Calderon	Goldberg	Montanez	Simitian
Canciamilla	Hancock	Nation	Steinberg
Chan	Horton, Jerome	Negrete McLeod	Vargas
Chu	Kehoe	Nunez	Wiggins
Cohn	Koretz	Oropeza	Yee
Corbett	Leno	Parra	Mr. Speaker
Diaz	Levine	Reyes	
Dutra	Lieber	Ridley-Thomas	

NOES—32

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Laird	Plescia
Benoit	Harman	Leslie	Richman
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**Motion to Reconsider Senate Bill No. 906
on Next Legislative Day**

Assembly Member Leno moved to reconsider on the next legislative day the vote whereby Senate Bill No. 906 was this day refused passage. Senate Bill No. 906 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 122**

At 11:04 p.m., on motion of Assembly Member Corbett, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Corbett moved to continue the call of the Assembly.

Motion carried. Time, 11:05 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 796**

At 11:07 p.m., on motion of Assembly Member Dutra, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 796 passed by the following vote:

AYES—42

Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Chan	Hancock	Lowenthal	Salinas
Chavez	Horton, Jerome	Montanez	Simitian
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Yee
Diaz	Leno	Nunez	Mr. Speaker
Dutra	Levine	Oropeza	
Dymally	Lieber	Pavley	

NOES—34

Aghazarian	Garcia	Maddox	Plescica
Bates	Harman	Maldonado	Richman
Benoit	Haynes	Matthews	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Bill ordered transmitted to the Senate.

MOTION TO RECONSIDER ON NEXT LEGISLATIVE DAY

Assembly Member Cogdill moved to reconsider on the next legislative day, the vote whereby Senate Bill No. 796 was this day passed.

Motion Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion out of order, as no motion to reconsider is in order on a bill which has passed, on the last two legislative days preceding the Interim Study Recess.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 18**

At 11:08 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 18 refused passage by the following vote:

AYES—33

Berg	Hancock	Lowenthal	Simitian
Chan	Jackson	Montanez	Steinberg
Chavez	Kehoe	Nation	Vargas
Chu	Koretz	Negrete McLeod	Wiggins
Cohn	Laird	Nunez	Yee
Corbett	Leno	Oropeza	Mr. Speaker
Correa	Levine	Pavley	
Dymally	Lieber	Reyes	
Goldberg	Longville	Ridley-Thomas	

NOES—11

Bates	Haynes	La Suer	Parra
Campbell	Horton, Shirley	Mountjoy	Richman
Daucher	La Malfa	Nakanishi	

**Motion to Reconsider Senate Bill No. 18
on Next Legislative Day**

Assembly Member Steinberg moved to reconsider on the next legislative day the vote whereby Senate Bill No. 18 was this day refused passage.

Senate Bill No. 18 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 122**

At 11:10 p.m., on motion of Assembly Member Corbett, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 122 refused passage by the following vote:

AYES—35

Berg	Hancock	Lowenthal	Reyes
Bermudez	Jackson	Montanez	Ridley-Thomas
Chan	Kehoe	Mullin	Simitian
Chu	Koretz	Nation	Steinberg
Cohn	Laird	Negrete McLeod	Vargas
Corbett	Leno	Nunez	Wiggins
Diaz	Levine	Oropeza	Yee
Frommer	Lieber	Parra	Mr. Speaker
Goldberg	Longville	Pavley	

NOES—38

Aghazarian	Dutra	Leslie	Plescica
Bates	Dutton	Liu	Richman
Benoit	Garcia	Maddox	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Matthews	Spitzer
Canciamilla	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wolk
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	

**Motion to Reconsider Senate Bill No. 122
on Next Legislative Day**

Assembly Member Corbett moved to reconsider on the next legislative day the vote whereby Senate Bill No. 122 was this day refused passage.

Senate Bill No. 122 ordered to the unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 411**

At 11:11 p.m., on motion of Assembly Member Jerome Horton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Jerome Horton moved to continue the call of the Assembly.

Motion carried. Time, 11:11 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 131**

At 11:12 p.m., on motion of Assembly Member Koretz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 131 refused passage by the following vote:

AYES—36

Berg	Dymally	Lieber	Pavley
Bermudez	Goldberg	Liu	Ridley-Thomas
Calderon	Hancock	Longville	Simitian
Canciamilla	Jackson	Lowenthal	Steinberg
Chan	Kehoe	Mullin	Vargas
Chavez	Koretz	Nation	Wiggins
Chu	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker

NOES—36

Aghazarian	Daucher	La Suer	Pacheco
Bates	Diaz	Leslie	Parra
Benoit	Dutton	Maddox	Plescia
Bogh	Garcia	Maldonado	Richman
Campbell	Harman	Matthews	Runner
Cogdill	Horton, Shirley	Maze	Samuelian
Cohn	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

**Motion to Reconsider Senate Bill No. 131
on Next Legislative Day**

Assembly Member Koretz moved to reconsider on the next legislative day the vote whereby Senate Bill No. 131 was this day refused passage.

Senate Bill No. 131 ordered to the unfinished business file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Jerome Horton announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor session, in Room 4202.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 411**

At 11:14 p.m., on motion of Assembly Member Jerome Horton, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 411 refused passage by the following vote:

AYES—36

Bermudez	Hancock	Lowenthal	Parra
Chan	Horton, Jerome	Matthews	Pavley
Chu	Kehoe	Montanez	Reyes
Cohn	Koretz	Mullin	Ridley-Thomas
Corbett	Laird	Nakano	Steinberg
Correa	Leno	Nation	Vargas
Dutra	Levine	Negrete McLeod	Wolk
Dymally	Lieber	Nunez	Yee
Goldberg	Liu	Oropeza	Mr. Speaker

NOES—1

Campbell

**Motion to Reconsider Senate Bill No. 411
on Next Legislative Day**

Assembly Member Jerome Horton moved to reconsider on the next legislative day the vote whereby Senate Bill No. 411 was this day refused passage.

Senate Bill No. 411 ordered to the unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)**

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, 1740, and 253; and Senate Bill No. 1005 were continued until the next legislative day.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Del Spernak, of Santa Ana.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Engrossing and Enrolling Clerk, Art Marsden, of Auburn.

Assembly Member Montanez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emma Gallegos, of San Fernando.

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 Dixie McIntee, of Temple City.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Farrell Robert "Bob" Brown, of Fresno.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Irena Henner, of Davis.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 933: Bates, Calderon, Canciamilla, Chavez, Cox, Diaz, Haynes, Jerome Horton, Shirley Horton, Houston, Keene, Leslie, Maddox, Pacheco, Plescia, Runner, and Strickland—Aye.

Senate Bill No. 853: Canciamilla, Corbett, Salinas, Simitian, and Wolk—Aye; Bates, Bogh, Dutton, Garcia, Shirley Horton, Maddox, Maldonado, McCarthy, Plescia, and Samuelian—No.

Senate Concurrent Resolution No. 49: Canciamilla, Jerome Horton, Maddox, Matthews, and Steinberg—Aye; Aghazarian, Cox, Haynes, Houston, Mountjoy, Pacheco, Plescia, and Wyland—No.

Senate Bill No. 566: Canciamilla and Lowenthal—Aye; Garcia, Maddox, Matthews, and Spitzer—No.

Assembly Bill No. 327, Concurrence: Aghazarian, Calderon, Canciamilla, Chavez, Corbett, Correa, Haynes, Jerome Horton, Houston, La Malfa, Maddox, Mountjoy, Pacheco, Plescia, Ridley-Thomas, Simitian, Spitzer, Wiggins, and Wyland—Aye.

Assembly Bill No. 413, Concurrence: Aghazarian, Calderon, Campbell, Canciamilla, Chavez, Correa, Daucher, Dutra, Haynes, Jerome Horton, Houston, Maddox, Mountjoy, Pacheco, Plescia, Runner, Simitian, Spitzer, and Wyland—Aye.

Assembly Bill No. 677, Concurrence: Aghazarian, Bates, Campbell, Canciamilla, Jerome Horton, Houston, Maddox, Pacheco, Plescia, Simitian, Spitzer, and Wyland—Aye; Haynes and Mountjoy—No.

Assembly Bill No. 826, Concurrence: Aghazarian, Canciamilla, Correa, Dutton, Jerome Horton, Maddox, Plescia, Simitian, and Wyland—Aye; Bates, Haynes, Houston, Pacheco, and Spitzer—No.

Assembly Bill No. 897, Concurrence: Canciamilla, Jerome Horton, and Simitian—Aye; Aghazarian, Correa, Daucher, Haynes, Houston, Maldonado, Pacheco, Plescia, Spitzer, and Wyland—No.

Assembly Bill No. 899, Concurrence: Aghazarian, Bogh, Calderon, Canciamilla, Correa, Daucher, Garcia, Jerome Horton, Shirley Horton, McCarthy, Nakanishi, Pacheco, Plescia, Simitian, Spitzer, and Wyland—Aye; Bates, Haynes, and Houston—No.

Assembly Bill No. 1017, Concurrence: Bates, Canciamilla, Correa, Garcia, Jerome Horton, Lieber, Maddox, Maldonado, McCarthy, Montanez, Oropeza, Plescia, Runner, Samuelian, and Wyland—Aye; Aghazarian and Haynes—No.

Assembly Bill No. 1208, Concurrence: Corbett, Correa, Garcia, Haynes, Jerome Horton, Plescia, and Wyland—Aye; Koretz—No.

Assembly Bill No. 1290, Concurrence: Correa, Garcia, Haynes, Jerome Horton, La Malfa, Maddox, Oropeza, Plescia, and Wyland—Aye.

Assembly Bill No. 1308, Concurrence: Calderon, Chavez, Frommer, Garcia, Jerome Horton, Jackson, Koretz, and Simitian—Aye; Bates, Correa, Daucher, Haynes, Plescia, and Wyland—No.

Assembly Bill No. 1524, Concurrence: Calderon, Chan, Chavez, Chu, Correa, Cox, Dutton, Koretz, Levine, Longville, Maddox, Montanez, Mountjoy, Nunez, Parra, Plescia, Runner, Simitian, Strickland, and Wyland—Aye; Haynes—No.

Assembly Bill No. 1551, Concurrence: Calderon, Chavez, Diaz, and Koretz—Aye; Campbell, Cox, Dutton, Garcia, Haynes, Maddox, Mountjoy, Runner, Spitzer, and Strickland—No.

Assembly Bill No. 1587, Concurrence: Calderon, Chavez, Jerome Horton, and Maddox—Aye; Daucher, Dutton, Garcia, Haynes, McCarthy, Mountjoy, Spitzer, and Strickland—No.

Assembly Bill No. 1676, Concurrence: Calderon, Campbell, Chavez, Cox, Haynes, Maddox, McCarthy, Mountjoy, Runner, Samuelian, and Strickland—Aye.

Assembly Bill No. 1688, Concurrence: Daucher, Garcia, Haynes, Keene, and Mountjoy—No.

Assembly Bill No. 522, Concurrence: Garcia and Simitian—Aye; Canciamilla, Cox, Haynes, Shirley Horton, Maddox, Mountjoy, Spitzer, and Strickland—No.

Assembly Bill No. 1719, Concurrence: Laird—Aye; Bates, Daucher, Garcia, Haynes, Shirley Horton, and Mountjoy—No.

Assembly Bill No. 1771, Concurrence: Bates, Cox, Daucher, Dutton, Garcia, Shirley Horton, Koretz, Maddox, McCarthy, Plescia, Runner, Samuelian, and Spitzer—Aye; Haynes, La Malfa, and Mountjoy—No.

Senate Bill No. 439: Bates, Daucher, Haynes, McCarthy, Mountjoy, Plescia, Runner, and Wyland—Aye.

Assembly Bill No. 1326, Concurrence: Bates, Campbell, Garcia, Haynes, Shirley Horton, Maddox, McCarthy, Mountjoy, Runner, and Samuelian—Aye.

Assembly Bill No. 1410, Concurrence: Maddox—Aye; Bates, Daucher, Garcia, Shirley Horton, Mountjoy, and Strickland—No.

Assembly Bill No. 1485, Concurrence: Canciamilla, Garcia, and Leno—Aye; Bates, Daucher, Shirley Horton, Maddox, Mountjoy, and Spitzer—No.

Assembly Bill No. 49, Concurrence: Bates, Campbell, Daucher, Garcia, Shirley Horton, Maddox, Mountjoy, and Nakano—Aye.

Assembly Bill No. 1497, Concurrence: Correa and Jerome Horton—Aye; Canciamilla, Mountjoy, and Plescia—No.

Senate Bill No. 602: Canciamilla, Corbett, Correa, Koretz, Maddox, Maldonado, and Simitian—Aye; Garcia, Haynes, Mountjoy, Spitzer, and Strickland—No.

Assembly Bill No. 455, Concurrence: Canciamilla, Correa, Dutra, and Jerome Horton—Aye; Garcia, Haynes, Maddox, Mountjoy, Plescia, Strickland, and Wyland—No.

Assembly Bill No. 1277, Concurrence: Correa, Dutra, Dutton, Harman, Haynes, Houston, Maddox, Mountjoy, Plescia, Samuelian, Spitzer, Strickland, and Wyland—Aye; Maze—No.

Assembly Bill No. 1668, Concurrence: Chavez, Correa, Dutra, Haynes, Maddox, Mountjoy, and Strickland—Aye.

Senate Bill No. 534: Correa, Diaz, and Yee—Aye; Haynes, Maddox, and Mountjoy—No.

Assembly Bill No. 626, Concurrence: Correa and Dutra—Aye; Campbell, Haynes, Maddox, Mountjoy, and Strickland—No.

Assembly Bill No. 859, Concurrence: Bates, Correa, Dutra, Maddox, Runner, Simitian, and Spitzer—Aye; Dutton, Haynes, Mountjoy, and Strickland—No.

Assembly Bill No. 1506, Concurrence: Maldonado and Simitian—Aye; Bogh, Daucher, Haynes, Mountjoy, and Spitzer—No.

Assembly Bill No. 1570, Concurrence: McCarthy, Mountjoy, and Simitian—Aye; Haynes—No.

Assembly Bill No. 1133, Concurrence: Wolk—Aye; Haynes, Matthews, Mountjoy, Strickland, and Wyland—No.

Assembly Bill No. 1601, Concurrence: Correa—Aye; Daucher, Haynes, Mountjoy, and Nakanishi—No.

Assembly Bill No. 94, Concurrence: Cohn—Aye; Correa, Haynes, Maddox, and Mountjoy—No.

Assembly Bill No. 1405, Concurrence: Berg, Canciamilla, Correa, Daucher, Dutton, Goldberg, Houston, Leslie, Maddox, Mountjoy, Nakanishi, Pacheco, and Simitian—Aye; Haynes—No.

Assembly Bill No. 1700, Concurrence: Correa, Dutton, Houston, La Malfa, Leslie, Mountjoy, Nakanishi, Pacheco, and Simitian—Aye; Haynes—No.

Assembly Bill No. 1532, Concurrence: Daucher, Dutton, and Nakanishi—Aye; Haynes and Mountjoy—No.

Assembly Bill No. 1685, Concurrence: Canciamilla, Correa, Shirley Horton, Maldonado, and Nunez—Aye; Daucher, Houston, Maddox, Mountjoy, and Pacheco—No.

Assembly Bill No. 1340, Concurrence: Bates, Benoit, Correa, Daucher, Maddox, Nunez, Samuelian, and Spitzer—Aye; Dutton, Mountjoy, and Nakanishi—No.

Assembly Bill No. 163, Concurrence: Benoit, Lieber, and Oropeza—Aye; Correa, Daucher, Houston, Maddox, Maldonado, McCarthy, Mountjoy, and Spitzer—No.

Senate Bill No. 808: Correa, Haynes, and Maddox—Aye.

Senate Bill No. 20, Cox Motion to Reconsider: Garcia—Aye; Correa and Mountjoy—No.

Assembly Bill No. 1051, Concurrence: Chu, Correa, Jerome Horton, Houston, Lieber, Montanez, and Mountjoy—Aye; Garcia, Haynes, and Simitian—No.

Assembly Bill No. 161, Concurrence, Cogdill Motion to Re-refer: Bogh, Correa, and Mountjoy—Aye; Maddox, Nation, and Yee—No.

Assembly Bill No. 1640, Concurrence: Correa, Maldonado, and Simitian—Aye; Campbell, Garcia, Houston, Keene, Leslie, Maddox, Mountjoy, and Pacheco—No.

Assembly Bill No. 1492, Concurrence: Correa, Haynes, Mountjoy, Plescia, Simitian, and Wyland—Aye.

Senate Bill No. 25: Correa and Simitian—Aye; Daucher, Haynes, and Runner—No.

Senate Bill No. 33 and Urgency: Correa and Simitian—Aye.

Senate Concurrent Resolution No. 7: Jerome Horton and Vargas—Aye.

Assembly Bill No. 579, Concurrence: Jerome Horton—Aye.

Assembly Bill No. 679, Concurrence: Jerome Horton, Houston, Jackson, Pacheco, and Simitian—Aye.

Assembly Bill No. 1151, Concurrence: Jerome Horton, Simitian, and Wolk—Aye.

Assembly Bill No. 1631, Concurrence: Chavez, Jerome Horton, Jackson, and Simitian—Aye.

Senate Bill No. 1009: Frommer and Jerome Horton—Aye; Correa and Maddox—No.

Senate Bill No. 570: Correa, Diaz, Jerome Horton, Maddox, Maldonado, and Mountjoy—Aye.

Senate Bill No. 1004: Corbett, Correa, Diaz, Jerome Horton, Maldonado, Nation, Simitian, and Yee—Aye; Maddox, Mountjoy, and Wyland—No.

Senate Bill No. 269: Campbell, Correa, Diaz, Houston, Maldonado, McCarthy, Nation, Pacheco, Pavley, Runner, Samuelian, Simitian, and Yee—Aye.

Senate Bill No. 906, Keene Motion to Appeal from Decision of the Chair: Maddox and Pacheco—No.

Senate Bill No. 328: Garcia and Jerome Horton—Aye; Dutton, Pacheco, and Spitzer—No.

Senate Bill No. 666: Maddox—Aye.

Assembly Bill No. 1266, Concurrence: Bogh, Chan, Maddox, Mountjoy, Nunez, Strickland, and Wyland—Aye.

Assembly Bill No. 490, Concurrence: Corbett, Maddox, Mountjoy, Ridley-Thomas, Wiggins, and Wolk—Aye; Campbell—No.

Assembly Bill No. 1360, Concurrence: Garcia, Maddox, and Wolk—Aye; Mountjoy—No.

Assembly Bill No. 408, Concurrence: Maddox and Mountjoy—Aye.

Assembly Bill No. 1475, Concurrence: Dutton and Maddox—Aye; Mountjoy—No.

Senate Bill No. 686: Jerome Horton—Aye; Bogh, Mountjoy, and Plescia—No.

Senate Bill No. 460: Diaz, Jerome Horton, Lieber, Maddox, and Maldonado—Aye.

Senate Bill No. 1074: Maddox—Aye.

Senate Bill No. 41: Canciamilla, Maddox, and Simitian—Aye.

Senate Bill No. 796: Chavez—Aye.

MOTION TO ADJOURN

At 11:16 p.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Wolk seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Mountjoy and Cohn arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Calderon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:16 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Jobs, Economic Development and the Economy

Date of Hearing: September 10, 2003

Mr. Speaker: Your Committee on Jobs, Economic Development and the Economy reports:

Senate Bill No. 623

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

RIDLEY-THOMAS, Chair

Above bill ordered to second reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 11, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 152

Assembly Bill No. 1388

Assembly Bill No. 1592

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 519—An act to add Sections 1765.5 and 1765.6 to the Welfare and Institutions Code, relating to controlled substances, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

INTRODUCTION OF GUESTS

Assembly Member Wolk, of the 8th Assembly District, introduced former Assembly Member Helen Thomson.

Assembly Member Dymally, of the 52nd Assembly District, introduced former Assembly Member Jerome Waldie.

ADJOURNMENT

At 11:16 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 10:30 a.m., Friday, September 12, 2003, out of respect to the memory of Del Spernak, on motion of Assembly Member Bates; out of respect to the memory of Emma Gallegos, on motion of Assembly Member Montanez; out of respect to the memory of Dixie McIntee, on motion of Assembly Member Mountjoy; out of respect to the memory of Irena Henner, on motion of Assembly Member Wolk; out of respect to the memory of Farrell Robert "Bob" Brown, on motion of Assembly Member Reyes; and out of respect to the memory of Art Marsden, on motion of Assembly Member Leslie.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 11, 2003**

The following measures were amended in the Assembly on this day:

SB	RN
33	0319975
41	0320231
274	0320233
328	0320113
808	0320225
1074	0320309

SCR	RN
7	0320213

Daily Total:	9
Cumulative Total:	2919

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, September 12, 2003

**ONE HUNDRED TWENTY-NINTH SESSION DAY
TWO HUNDRED EIGHTY-FIFTH 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
Friday, September 12, 2003

The Assembly met at 10:30 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 Benoit moved a quorum call of the Assembly.
Motion carried. Time, 10:31 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

CAUCUS ANNOUNCEMENTS

Assembly Member Cox announced that the Republican Caucus would meet at this time in the Tom Bane Rules Committee Room.

QUORUM PRESENT

At 12:07 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—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, You invite us all to experience Your infinite love. When we do, we are filled with a happiness and joy that words cannot describe. Lord, help us to share our knowledge of Your love, with others, and guide us on the path to an inner re-creation that leads to salvation. For neither the technical and scientific achievements, nor the conquest of outer space, nor the world's riches and glory can compare to the value of the salvation of one single soul.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Goldberg 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 11, 2003

Mr. E. Dotson Wilson

*Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Julie Cerra
to Historic State Capitol Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Julie Cerra to the Historic State Capitol Commission. This is a term appointment starting September 11, 2003 and the expiration date is January 1, 2009. Ms. Cerra will be replacing Ms. Susan Lassell.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 11, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Rescinding the appointment of Kenneth Williams
to State Board of Barbering and Cosmetology

Dear Mr. Wilson: Please be advised I have rescinded the appointment of Mr. Kenneth Williams to the State Board of Barbering and Cosmetology effective August 18, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 12, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Tamara Rasberry
to State Board of Barbering and Cosmetology

Dear Mr. Wilson: Please be advised I have appointed Ms. Tamara Rasberry to the State Board of Barbering and Cosmetology. This is a temporary term appointment starting September 12, 2003 and the expiration date is January 1, 2004. Ms. Rasberry will be replacing Mr. Kenneth Williams.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

AUTHOR'S AMENDMENTS

Committee on Environmental Safety and Toxic Materials

September 12, 2003

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 543

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

SENATE BILL NO. 543—An act to add Chapter 1.5 (commencing with Section 1249) to Part 2 of Division 2 of the Water Code, relating to water.

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.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Organization

Date of Hearing: September 11, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 900

With the recommendation: That the Senate amendments be concurred in.

JEROME HORTON, Chair

Above bill ordered to unfinished business.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
September 11, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1014, which will require the Director of the Department of Boating and Waterways to appoint an Abandoned Vessel Advisory Committee to assist the Department in making recommendations to the Legislature on or before January 1, 2005, on strategies to prevent the abandonment of recreational vessels. This legislation provides that members appointed to this Advisory Committee will serve without compensation or reimbursement by the State.

I am signing this legislation because preventing the abandonment of vessels will protect the environment from the spill of fuel and other hazardous materials into our waterways. Due to the current fiscal situation faced by the State, however, I am instructing the Department to fund any activities related to the Advisory Committee within existing resources.

Sincerely,

GRAY DAVIS

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: September 11, 2003

Mr. Speaker: The Committee on Appropriations reports:

Senate Bill No. 256

Senate Bill No. 621

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, September 9, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1599

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, September 10, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 44

Assembly Bill No. 97

Assembly Bill No. 300

Assembly Bill No. 371

Assembly Bill No. 747

Assembly Bill No. 763

Assembly Bill No. 933

Assembly Bill No. 953

Assembly Bill No. 1087

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, September 11, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 351
 Assembly Bill No. 523
 Assembly Bill No. 715
 Assembly Bill No. 944

Assembly Bill No. 1012
 Assembly Bill No. 1313
 Assembly Bill No. 1521
 Assembly Bill No. 1618

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.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bill No. 458, on request of Assembly Member Chan;
Assembly Bill No. 356, on request of Assembly Member Hancock;
Assembly Bill No. 491, on request of Assembly Member Diaz.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

SENATE BILL NO. 256—An act to amend Sections 15807, 15808.1, 15812, 15815, 15862, 70303, 70355, 70356, 70357, 70358, 70362, 70366, 70367, 70373, 70373.5, 70374, 70375, 70392, 70402, 71601, 76000, and 76100 of, to add Section 71626.1 to, to add and repeal Section 70404 of, and to repeal Section 70046.2 of, the Government Code, and to amend Section 42007 of the Vehicle Code, relating to court facilities.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 621—An act to amend Section 12012.85 of, and to add Chapter 7.5 (commencing with Section 12710) to Part 2 of, the Government Code, relating to gambling, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 623—An act to add Chapter 4.5 (commencing with Section 6450) to Division 7 of Title 1 of, to add and repeal Section 13997 of, and to repeal Article 2 (commencing with Section 6460) of Chapter 4.5 of Division 7 of Title 1 of, the Government Code, relating to international trade, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**UNFINISHED BUSINESS
CONFERENCE COMMITTEE REPORTS**

ASSEMBLY BILL NO. 227 (As proposed by the Conference Committee)—An act to amend Sections 63010 and 63071 of, and to add Article 8 (commencing with Section 63049.6) to Chapter 2 of Division 1 of Title 6.7 of, the Government Code, to amend Sections 985, 1063, 1063.1, 1871.4, 11656.6 and 11873 of, to add Section 11742 to, to add Article 14.26 (commencing with Section 1063.70) to Chapter 1 of Part 2 of Division 1 of, and to add and repeal Section 11735.1 of, the Insurance Code, and to amend Section 62.5 of, to add Sections 4658.5 and 4658.6 to, to repeal Section 5405.5 of, to repeal Article 2.6 (commencing with Section 4635) of Chapter 2 of Part 2 of Division 4 of, and to repeal and add Section 139.5 of, the Labor Code, relating to workers' compensation.

Conference Committee Report presented by Assembly Member Vargas.

Report adopted 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—25

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maze	Samuelian
Benoit	Harman	McCarthy	Strickland
Campbell	Haynes	Mountjoy	Wyland
Cogdill	Houston	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Transportation to meet off the Floor today for the purpose of hearing Senate Bill No. 871 and Assembly Bill No. 118.

Assembly Member Benoit withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Transportation to meet off the Floor today for the purpose of hearing Senate Bill No. 871 and Assembly Bill No. 118.

Assembly Member Reyes seconded the motion.

Motion carried by the following vote:

AYES—45

Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Hancock	Matthews	Simitian
Canciamilla	Horton, Jerome	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Kehoe	Nakano	Wiggins
Chu	Koretz	Nation	Wolk
Cohn	Laird	Negrete McLeod	Yee
Corbett	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	
Dymally	Liu	Reyes	

NOES—31

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Appropriations to meet off the Floor today for the purpose of hearing Senate Bill No. 1064.

Assembly Member Benoit withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Appropriations to meet off the Floor today, for the purpose of hearing Senate Bill No. 1064.

Assembly Member Vargas seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Matthews	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
Correa	Levine	Oropeza	Mr. Speaker
Diaz	Lieber	Parra	
Dutra	Liu	Pavley	

NOES—31

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Daucher	La Suer	Pacheco	

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 12, 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 Assemblymember John Laird to fill the vacancy on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 12, 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 Assemblymember Lloyd Levine to replace Assemblymember Marco Firebaugh on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONFERENCE COMMITTEE REPORTS**

SENATE BILL NO. 228 (As proposed by the Conference Committee)—An act to amend Section 12813 of the Government Code, and to amend Sections 29, 110, 122, 124, 127.6, 138.1, 139.2, 139.3, 139.31, 139.4, 139.45, 4061, 4062.5, 4062.9, 4068, 4603.2, 4603.4, 4628, 5307.3, 5703, and 6401.7 of, to add Sections 77.5, 3823, 4062.01, 4604.5, 4610, 4903.05, and 5307.27 to, to repeal Sections 139, 139.1, and 5307.21 of, to repeal and add Sections 3201.7, 4600.1, 5307.1, 5307.2, and 5318 of, and to repeal, add, and repeal Section 4062 of, the Labor Code, relating to workers' compensation.

Conference Committee Report presented by Assembly Member Vargas.

Report adopted 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—19

Aghazarian	Cogdill	La Malfa	Pacheco
Bates	Cox	La Suer	Plescia
Benoit	Harman	Maze	Strickland
Bogh	Haynes	Mountjoy	Wyland
Campbell	Houston	Nakanishi	

ASSEMBLY BILL NO. 149 (As proposed by the Conference Committee)—An act to amend Section 5406.5 of the Labor Code, relating to workers' compensation.

Conference Committee Report presented by Assembly Member Cohn.

Report adopted by the following vote:

AYES—77

Aghazarian	Dymally	Liu	Plescia
Bates	Frommer	Longville	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bermudez	Hancock	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	
Dutton	Lieber	Pavley	

NOES—2

Campbell	Haynes
----------	--------

ASSEMBLY BILL NO. 1099 (As proposed by the Conference Committee)—An act to amend Sections 1877.1, 1877.3, 1877.4, and 1877.5, of the Insurance Code, relating to insurance fraud.

Conference Committee Report presented by Assembly Member Negrete McLeod.

Report adopted by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Campbell	Haynes	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—1

Mountjoy

ASSEMBLY BILL NO. 1262 (As proposed by the Conference Committee)—An act to add Article 5 (commencing with Section 11761) to Chapter 3 of Part 3 of Division 2 of the Insurance Code, relating to workers' compensation insurance.

Conference Committee Report presented by Assembly Member Matthews.

Report adopted by the following vote:

AYES—54

Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Canciamilla	Harman	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Jackson	Montanez	Spitzer
Chu	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	

NOES—25

Aghazarian	Daucher	Leslie	Runner
Bates	Dutton	Maze	Samuelian
Benoit	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Wyland
Campbell	Houston	Nakanishi	
Cogdill	La Malfa	Pacheco	
Cox	La Suer	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on the Conference Committee Report on Assembly Bill No. 1262: Assembly Member Spitzer, from "No" to "Aye".

BILLS RETURNED TO THIRD READING FILE

Assembly Member Chan was granted unanimous consent that Senate Bill No. 96 be withdrawn from the inactive file and placed upon the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

**CONSIDERATION OF GOVERNOR'S VETO—
ASSEMBLY BILL NO. 697**

ASSEMBLY BILL NO. 697 (Maldonado)—An act relating to state employees.

Governor's message stating his objections appears at page 2618 of the Assembly Journal for July 2, 2003.

The question being: Shall Assembly Bill No. 697 become a law notwithstanding the objections of the Governor?

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Maldonado moved a call of the Assembly.

Motion carried. Time, 2:17 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

CAUCUS ANNOUNCEMENTS

At 2:17 p.m., Assembly Member Cox was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 2:18 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 3:09 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 278
Assembly Bill No. 283
Assembly Bill No. 1154
Assembly Bill No. 1370

Assembly Bill No. 1467
Assembly Bill No. 1557
Assembly Bill No. 1666

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.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Kehoe re-referred the following Assembly bills to committees as noted:

Assembly Bill No. 278, to the Committee on Governmental Organization;

Assembly Bill No. 351, to the Committee on Appropriations;

Assembly Bill No. 944, to the Committee on Local Government;

Senate Bill No. 1064, to the Committee on Appropriations.

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Local Government to meet off the Floor today, for the purpose of hearing Assembly Bill No. 944.

Assembly Member Cogdill withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Local Government to meet off the Floor today, for the purpose of hearing Assembly Bill No. 944.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	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	
Dymally	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Governmental Organization to meet off the Floor today, for the purpose of hearing Assembly Bill No. 278.

Assembly Member Benoit withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Governmental Organization to meet off the Floor today for the purpose of hearing Assembly Bill No. 278.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Matthews	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
Correa	Levine	Oropeza	Mr. Speaker
Diaz	Lieber	Parra	
Dutra	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)**

SENATE BILL NO. 411 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Jerome Horton was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 411 was refused passage.

Further Consideration of Senate Bill No. 411

SENATE BILL NO. 411 (Ducheny)—An act to add Section 12012.35 to the Government Code, relating to tribal gaming.

Bill read third time, and presented by Assembly Member Jerome Horton.

Bill passed by the following vote:

AYES—47

Bates	Hancock	Maddox	Pavley
Berg	Harman	Matthews	Reyes
Bermudez	Haynes	Maze	Ridley-Thomas
Canciamilla	Horton, Jerome	Montanez	Samuelian
Chan	Kehoe	Mountjoy	Spitzer
Chu	Koretz	Mullin	Steinberg
Cohn	Laird	Nakano	Vargas
Corbett	Leno	Nation	Wolk
Correa	Levine	Negrete McLeod	Wyland
Dutra	Lieber	Nunez	Yee
Dymally	Liu	Oropeza	Mr. Speaker
Goldberg	Lowenthal	Parra	

NOES—1

Campbell

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 534 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Koretz was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 534 was refused passage; and that the bill be placed upon the inactive file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Dutra announced that the Committee on Transportation would meet today at 3:45 p.m., in the Tom Bane Rules Committee Room.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER SENATE BILL NO. 906**

Request for Reconsideration

In compliance with a motion given on a previous day, Assembly Member Leno requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 906 was refused passage.

Assembly Member Richman withheld unanimous consent.

Motion

Assembly Member Leno moved that the vote be reconsidered whereby Senate Bill No. 906 was refused passage.

Senate Bill No. 906 reconsidered by the following vote:

AYES—45

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	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Further Consideration of Senate Bill No. 906

SENATE BILL NO. 906 (Alarcon)—An act to add Sections 31000.10 and 37103.1 to the Government Code, relating to personal services contracting.

Bill read third time, and presented by Assembly Member Leno.

Bill refused passage by the following vote:

AYES—33

Calderon	Hancock	Nakano	Simitian
Chan	Kehoe	Nation	Steinberg
Chu	Koretz	Negrete McLeod	Vargas
Corbett	Laird	Nunez	Wiggins
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker
Dymally	Lieber	Reyes	
Frommer	Longville	Ridley-Thomas	
Goldberg	Montanez	Salinas	

NOES—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

REQUEST TO SUSPEND RULES

Assembly Member Steinberg requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Appropriations to meet off the Floor today for the purpose of hearing Senate Bills Nos. 53, 103, 348, 407, 623, 902, 1056, and 1064.

Assembly Member Cogdill withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Steinberg moved that Joint Rule 62(a) be waived to permit the Committee on Appropriations to meet off the Floor today, for the purpose of hearing Senate Bills Nos. 53, 103, 348, 407, 623, 902, 1056, and 1064.

Assembly Member Chan seconded the motion.

Motion carried by the following vote:

AYES—44

Berg	Dymally	Liu	Pavley
Bermudez	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Chan	Horton, Jerome	Matthews	Salinas
Chavez	Jackson	Montanez	Simitian
Chu	Kehoe	Mullin	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	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Maldonado	Samuelian
Bogh	Haynes	McCarthy	Spitzer
Campbell	Houston	Mountjoy	Strickland
Cogdill	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 3:51 p.m., by unanimous consent, the members of the Committee on Transportation were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Corbett announced that the Committee on Judiciary would meet today, at 4 p.m. in the Tom Bane Rules Committee Room, upon adjournment of Transportation Committee.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER SENATE BILL NO. 18

Request for Reconsideration

In compliance with a motion given on a previous day, Assembly Member Steinberg requested unanimous consent that the vote be reconsidered whereby Senate Bill No. 18 was refused passage.

Assembly Member Campbell withheld unanimous consent.

Motion

Assembly Member Steinberg moved that the vote be reconsidered whereby Senate Bill No. 18 was refused passage.

Senate Bill No. 18 reconsidered by the following vote:

AYES—50

Berg	Frommer	Liu	Plescica
Bermudez	Garcia	Longville	Reyes
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maddox	Salinas
Chan	Haynes	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—12

Bates	Daucher	Horton, Shirley	Leslie
Campbell	Dutton	La Malfa	Maze
Cogdill	Harman	La Suer	Mountjoy

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. 18 to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 274 (Soto)—An act to add Article 11.5 (commencing with Section 31770) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to public employees.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Bill passed by the following vote:

AYES—74

Aghazarian	Dymally	Lieber	Plescica
Bates	Frommer	Liu	Reyes
Benoit	Garcia	Longville	Richman
Berg	Goldberg	Lowenthal	Ridley-Thomas
Bermudez	Hancock	Maddox	Runner
Bogh	Harman	Maldonado	Salinas
Calderon	Horton, Jerome	Matthews	Samuelian
Canciamilla	Horton, Shirley	Maze	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mullin	Steinberg
Chu	Keene	Nakanishi	Strickland
Cogdill	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	La Malfa	Negrete McLeod	Wolk
Correa	La Suer	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—3

Campbell	Haynes	Mountjoy
----------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 274: Assembly Member La Malfa, from “No” to “Aye”.

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 364 (Figueroa)—An act to amend Sections 144, 473.1, 473.2, 473.3, 2001, 2020, 2099.5, 2153.5, 2220.1, 2531, 3010.1, 3014.6, 6732, 6732.3, 6732.4, and 7153.1 of, and to add Chapter 2 (commencing with Section 474) to, and to add a chapter heading to, Division 1.2 of, the Business and Professions Code, to amend Section 94990 of, and to add Sections 94779.1, 94779.3, and 94779.4 to, the Education Code, to amend Section 9148.8 of, to add Article 8.5 (commencing with Section 9148.50) to Chapter 1.5 of Part 1 of Division 2 of Title 2 of, and to repeal Section 9148.10 of, the Government Code, and to amend Section 1095 of the Unemployment Insurance Code, relating to professions and vocations.

Bill read third time, and presented by Assembly Member Lowenthal.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 33 (Figueroa)—An act to amend Sections 17590, 17591, 17592, 17593, and 17594 of, and to repeal Section 17595 of, the Business and Professions Code, relating to telephone solicitations.

Bill read third time, and presented by Assembly Member Canciamilla.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 1080 (Committee on Business and Professions)—An act to amend Sections 1973, 2154.4, 5001, 5061, 5081, 5082, 5082.2, 5107, 5131, 7139.2, 7583.6, and 7583.9 of, to amend, add, and repeal Sections 10152 and 10153.3 of, to add Section 5115 to, to repeal Section 5091 of, and to repeal and add Section 5082.1 to, the Business and Professions Code, relating to professions and vocations, making an appropriation therefor.

Bill read third time, and presented by Assembly Member Maldonado.

Bill passed 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

Bill ordered transmitted to the Senate immediately.

CONSIDERATION OF SUPPLEMENTAL FILE

ASSEMBLY BILL NO. 1599 (Harman)—An act to add and repeal Section 14576 of the Public Resources Code, relating to the California Beverage Container Recycling and Litter Reduction Act.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	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	
Dutton	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 300 (Committee on Education)—An act to amend Sections 8206, 8206.1, 8206.6, 8261, 8263, 8805, 32211, 35160.5, 39831.5, 41344, 42285.2, 44505, 45037, 46201, 46202, 48916, 48918, 51224.5, 52055.640, 56343.5, 60040, and 81130.3 of, to add Section 56836.30 to, and to add Article 3 (commencing with Section 81050) to Chapter 1 of Part 49 of, and to repeal Sections 8206.5, 8206.7, 8206.8, 17912.1, 45357, 45358, 51132, 51882, 62006, 62007, and 62008 of, the Education Code, to amend Section 19050.8 of the Government Code, to add Section 97.45 to the Revenue and Taxation Code, to amend Section 45 of Chapter 1167 of the Statutes of 2002, and to amend Section 7 of Chapter 1 of the Statutes of 2003, relating to education.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 747 (Matthews)—An act to amend Section 810 of the Business and Professions Code, and to amend Sections 14105.48, 19356, and 19805 of the Welfare and Institutions Code, relating to human services.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 933 (Reyes)—An act to amend Sections 21541, 31781.1, and 31787 of the Government Code, relating to death benefits.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	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

Above bill ordered enrolled.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 96, on request of Assembly Member Kehoe.

At 4:13 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 715 (Chan)—An act to amend Sections 56.05, 56.10, 56.11, 56.17, and 56.21 of the Civil Code, relating to personal information.

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	Diaz	Lieber	Reyes
Bates	Dutra	Liu	Richman
Benoit	Dymally	Longville	Ridley-Thomas
Berg	Frommer	Lowenthal	Salinas
Bermudez	Garcia	Maddox	Simitian
Bogh	Goldberg	Maldonado	Spitzer
Calderon	Hancock	Matthews	Steinberg
Canciamilla	Harman	Montanez	Vargas
Chan	Horton, Jerome	Mullin	Wiggins
Chavez	Horton, Shirley	Nakano	Wolk
Chu	Jackson	Nation	Wyland
Cogdill	Kehoe	Negrete McLeod	Yee
Cohn	Koretz	Nunez	Mr. Speaker
Corbett	Laird	Oropeza	
Correa	Leno	Parra	
Daucher	Levine	Pavley	

NOES—18

Campbell	Keene	McCarthy	Runner
Cox	La Malfa	Mountjoy	Samuelian
Dutton	La Suer	Nakanishi	Strickland
Haynes	Leslie	Pacheco	
Houston	Maze	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 715: Assembly Member Maddox, from “No” to “Aye”.

Above bill ordered enrolled.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:16 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.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 763 (Liu)—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1521 (Parra)—An act to amend Sections 1301, 4000, and 13113 of, to repeal Sections 1501 and 1502 of, and to repeal and add Section 1500 of, 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—58

Bates	Dutton	Liu	Pavley
Berg	Dymally	Longville	Reyes
Bermudez	Frommer	Lowenthal	Richman
Bogh	Garcia	Maldonado	Ridley-Thomas
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Samuelian
Chan	Horton, Shirley	Mullin	Simitian
Chavez	Houston	Nakanishi	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Pacheco	
Dutra	Lieber	Parra	

NOES—19

Aghazarian	Harman	Maddox	Runner
Benoit	Haynes	Maze	Spitzer
Campbell	Keene	McCarthy	Strickland
Cogdill	La Malfa	Mountjoy	Wyland
Cox	La Suer	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 1521: Assembly Member Campbell, from "Aye" to "No".

Above bill ordered enrolled.

BILLS PLACED ON INACTIVE FILE

The following resolution was placed upon the inactive file:

Assembly Joint Resolution No. 3, on request of Assembly Member Jerome Horton.

REPORTS OF STANDING COMMITTEES**Committee on Transportation**

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 871

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

DUTRA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 118

With the recommendation: That Senate amendments be concurred in.

DUTRA, Chair

Above bill ordered to unfinished business file.

Committee on Judiciary

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Senate Bill No. 300

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1027 (Bermudez)—An act to add Sections 19826.2 and 19827.4 to the Government Code, relating to state 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—48

Berg	Frommer	Longville	Parra
Bermudez	Goldberg	Lowenthal	Pavley
Calderon	Hancock	Maddox	Reyes
Canciamilla	Horton, Jerome	Maldonado	Ridley-Thomas
Chavez	Jackson	Matthews	Salinas
Chu	Kehoe	Montanez	Simitian
Cohn	Koretz	Mullin	Steinberg
Corbett	Laird	Nakano	Vargas
Correa	Leno	Nation	Wiggins
Diaz	Levine	Negrete McLeod	Wolk
Dutra	Lieber	Nunez	Yee
Dymally	Liu	Oropeza	Mr. Speaker

NOES—29

Aghazarian	Dutton	Leslie	Runner
Bates	Garcia	Maze	Samuelian
Benoit	Harman	McCarthy	Spitzer
Bogh	Haynes	Mountjoy	Strickland
Campbell	Horton, Shirley	Nakanishi	Wyland
Cogdill	Houston	Pacheco	
Cox	Keene	Plescia	
Daucher	La Malfa	Richman	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 161 (Steinberg)—An act to amend Section 12076 of, and to repeal Section 12071 of, the Penal Code, and to amend Section 3 of Chapter 909 of the Statutes of 2002, and Section 4 of Chapter 911 of the Statutes of 2002, relating to firearms, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—46

Berg	Frommer	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Nunez	Wolk
Corbett	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—31

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Cogdill	Houston	McCarthy	Strickland
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	

Above bill ordered enrolled immediately.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:40 p.m., by unanimous consent, the members of the Committee on Local Government were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Kehoe was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 256 without reference to file.

SENATE BILL NO. 256 (Escutia)—An act to amend Sections 15807, 15808.1, 15812, 15815, 15862, 70303, 70355, 70356, 70357, 70358, 70362, 70366, 70367, 70373, 70373.5, 70374, 70375, 70392, 70402, 71601, 76000, and 76100 of, to add Section 71626.1 to, to add and repeal Section 70404 of, and to repeal Section 70046.2 of, the Government Code, and to amend Section 42007 of the Vehicle Code, relating to court facilities.

Bill read third time, and presented by Assembly Member Kehoe.

Bill passed by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Jerome Horton was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 621 without reference to file.

SENATE BILL NO. 621 (Battin)—An act to amend Section 12012.85 of, and to add Chapter 7.5 (commencing with Section 12710) to Part 2 of, the Government Code, relating to gambling, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Jerome Horton moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Further Consideration of Senate Bill No. 621 by Unanimous Consent

SENATE BILL NO. 621 (Battin)—An act to amend Section 12012.85 of, and to add Chapter 7.5 (commencing with Section 12710) to Part 2 of, the Government Code, relating to gambling, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Jerome Horton.

Bill passed by the following vote:

AYES—65

Aghazarian	Dymally	Liu	Reyes
Bates	Frommer	Longville	Richman
Benoit	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Salinas
Calderon	Horton, Jerome	Matthews	Samuelian
Chavez	Horton, Shirley	Maze	Spitzer
Chu	Houston	McCarthy	Steinberg
Cogdill	Keene	Mountjoy	Strickland
Cohn	Kehoe	Nakanishi	Vargas
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Levine	Parra	
Dutton	Lieber	Plescia	

NOES—None**Vote Changes**

By unanimous consent, the following vote change was permitted on Senate Bill No. 621: Assembly Member Nation, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate immediately.

At 4:51 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 1599 WITHDRAWN FROM ENROLLMENT

Assembly Member Harman was granted unanimous consent that Assembly Bill No. 1599 be withdrawn from enrollment and held at the Desk.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4:56 p.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 539, on request of Assembly Member Laird.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 5:03 p.m., by unanimous consent, the members of the Committee on Governmental Organization were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

RECESS

By unanimous consent, at 5:15 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

CAUCUS ANNOUNCEMENTS

At 5:25 p.m., Speaker pro Tempore Kehoe announced that the Democratic Caucus would meet in the Assembly Lounge.

RECONVENED

At 7:42 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 12, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 859

And reports the same correctly enrolled, and presented to the Governor on the 12th day of September, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Governmental Organization reports:
Assembly Bill No. 278

With the recommendation: That the Senate amendments be concurred in.

JEROME HORTON, Chair

Above bill ordered to unfinished business.

Committee on Local Government

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 944

With the recommendation: That the Senate amendments be concurred in.

SALINAS, Chair

Above bill ordered to unfinished business.

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 28
Assembly Bill No. 1680

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, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 17	Assembly Bill No. 457
Assembly Bill No. 185	Assembly Bill No. 719
Assembly Bill No. 256	Assembly Bill No. 855
Assembly Bill No. 296	Assembly Bill No. 1302
Assembly Bill No. 375	

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.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1012, on request of Assembly Member Steinberg.

CONSIDERATION OF SUPPLEMENTAL FILE

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 944 (Steinberg)—An act to amend Sections 36601, 36606, 36621, 36622, 36623, 36625, 36627, 36628, 36629, 36631, 36632, 36637, 36650, 36660, 36670, and 36671 of, and to add Sections 36603.5 and 36628.5 to, and to add Chapter 3.5 (commencing with Section 36640) to Part 7 of Division 18 of, the Streets and Highways Code, relating to benefit assessments.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 8:11 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

REQUEST TO SUSPEND RULES

Assembly Member Chan requested unanimous consent that Joint Rule 62(a) be waived to permit the Committee on Natural Resources to meet off the Floor today, for the purpose of hearing Assembly Bill No. 28.

Assembly Member Cogdill withheld unanimous consent.

Motion to Waive Joint Rule 62(a)

Assembly Member Chan moved that Joint Rule 62(a) be waived to permit the Committee on Natural Resources to meet off the Floor today, for the purpose of hearing Assembly Bill No. 28.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—45

Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Matthews	Salinas
Calderon	Hancock	Montanez	Simitian
Chan	Jackson	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	
Dymally	Longville	Reyes	

NOES—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONFERENCE COMMITTEE REPORTS

SENATE BILL NO. 2 (As proposed by the Conference Committee)—An act to amend Section 6254 of the Government Code, to add Article 3.11 (commencing with Section 1357.20) to Chapter 2.2 of Division 2 of the Health and Safety Code, to add Section 12693.55 to, and to add Chapter 8.1 (commencing with Section 10760) to Part 2 of Division 2 of, the Insurance Code, to add Part 8.7 (commencing with Section 2120) to Division 2 of the Labor Code, to amend Section 131 of, and to add Section 976.7 to, the Unemployment Insurance Code, and to amend Section 14124.91 of, and to add Sections 14105.981, 14124.915, and 14124.916 to, the Welfare and Institutions Code, relating to health care coverage, and making an appropriation therefor.

Conference Committee Report presented by Assembly Member Frommer.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Plescia moved a call of the Assembly.

Motion carried. Time, 9:27 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 944**

At 9:27 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 9:28 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONFERENCE COMMITTEE REPORTS**

ASSEMBLY BILL NO. 1528 (As proposed by the Conference Committee)—An act to add Chapter 8 (commencing with Section 127670) to Part 2 of Division 107 of the Health and Safety Code, relating to health care coverage.

Conference Committee Report presented by Assembly Member Cohn.

Report adopted by the following vote:

AYES—76

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
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	McCarthy	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mountjoy	Spitzer
Cogdill	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—1

Haynes

SENATE BILL NO. 1007 (As proposed by the Conference Committee)—An act to amend Section 11656.6 of the Insurance Code, relating to workers' compensation.

Conference Committee Report presented by Assembly Member Vargas.

Report 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

Vote Changes

By unanimous consent, the following vote change was permitted on the Conference Committee Report on Senate Bill No. 1007: Assembly Member Dymally, from "No" to "Aye".

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. 28 to the Committee on Natural Resources.

JOINT RULE 62(a) WAIVED

Speaker pro Tempore Kehoe was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 28 for hearing in the Committee on Natural Resources.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9:35 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.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 18

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1064

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 623

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 348

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 1056

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 53

Senate Bill No. 103

With the recommendation: Do pass.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 407

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

By unanimous consent the following bills were taken up without reference to file, for purpose of second reading and adoption of committee amendments, and the bills ordered to the third reading file for purpose of consideration on this day.

SENATE BILL NO. 18—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, 21097, and 21097.5 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 1064—An act to amend Sections 6902.2, 19047, 19333, and 19345 of the Revenue and Taxation Code, relating to taxation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 623—An act to add and repeal Chapter 4.5 (commencing with Section 6450) to Division 7 of Title 1 of, to add and repeal Section 13997 of, and to repeal Article 2 (commencing with Section 6460) of Chapter 4.5 of Division 7 of Title 1 of, the Government Code, relating to international trade, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 348—An act relating to trial costs.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 1056—An act to add Sections 20035.9 and 22825.19 to the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 53—An act to amend Sections 21390 of, and to add Section 21391 to, the Government Code, relating to public employees' retirement.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 103—An act to amend Section 24871 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 407—An act to add Section 41204.2 to the Education Code, and to add Sections 97.5 and 97.51 to the Revenue and Taxation Code, relating to local government finance.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted, bill ordered reprinted and to be placed upon the third reading file.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)**

SENATE BILL NO. 122 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Corbett was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 122 was refused passage.

Further Consideration of Senate Bill No. 122

SENATE BILL NO. 122 (Escutia)—An act to add Sections 17204.6 and 17204.9 to, and to repeal and add Section 17204.7 of, the Business and Professions Code, and to repeal Section 4 of Chapter ____ of the Statutes of 2003, relating to unfair competition.

Bill read third time, and presented by Assembly Member Corbett.

Bill refused passage by the following vote:

AYES—35

Berg	Jackson	Montanez	Ridley-Thomas
Bermudez	Kehoe	Mullin	Salinas
Chan	Koretz	Nation	Simitian
Chu	Laird	Negrete McLeod	Steinberg
Corbett	Leno	Nunez	Vargas
Diaz	Levine	Oropeza	Wiggins
Frommer	Lieber	Parra	Yee
Goldberg	Longville	Pavley	Mr. Speaker
Hancock	Lowenthal	Reyes	

NOES—39

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutra	Leslie	Plescia
Benoit	Dutton	Liu	Richman
Bogh	Garcia	Maddox	Runner
Campbell	Harman	Maldonado	Samuelian
Canciamilla	Haynes	Matthews	Spitzer
Chavez	Horton, Shirley	Maze	Strickland
Cogdill	Houston	McCarthy	Wolk
Correa	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 944**

At 9:51 p.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Wesson moved to continue the call of the Assembly.

Motion carried. Time, 9:51 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 944**

At 9:53 p.m., on motion of Assembly Member Wesson, 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. 944 by the following vote:

AYES—41

Berg	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Montanez	Salinas
Canciamilla	Hancock	Mullin	Steinberg
Chan	Kehoe	Nakano	Vargas
Chavez	Koretz	Nation	Wiggins
Chu	Laird	Negrete McLeod	Wolk
Cohn	Leno	Nunez	Yee
Corbett	Levine	Oropeza	Mr. Speaker
Diaz	Lieber	Parra	
Dutra	Liu	Pavley	
Dymally	Longville	Reyes	

NOES—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	

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

At 9:55 p.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 9:55 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 10:22 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 28

With the recommendation: That the Senate amendments be concurred in.

JACKSON, Chair

Above bill ordered to unfinished business.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1557 (Vargas)—An act to add Section 4610.1 to the Labor Code, relating to workers' compensation.

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	Dutton	Liu	Pavley
Bates	Dymally	Longville	Plescia
Benoit	Frommer	Lowenthal	Reyes
Berg	Garcia	Maddox	Richman
Bermudez	Harman	Maldonado	Ridley-Thomas
Bogh	Haynes	Matthews	Runner
Calderon	Horton, Jerome	Maze	Salinas
Campbell	Horton, Shirley	McCarthy	Samuelian
Canciamilla	Houston	Montanez	Simitian
Chan	Jackson	Mountjoy	Spitzer
Chavez	Keene	Mullin	Steinberg
Chu	Kehoe	Nakanishi	Strickland
Cogdill	Koretz	Nakano	Vargas
Cohn	La Malfa	Nation	Wiggins
Corbett	La Suer	Negrete McLeod	Wolk
Correa	Laird	Nunez	Wyland
Cox	Leno	Oropeza	Yee
Daucher	Levine	Pacheco	Mr. Speaker
Dutra	Lieber	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1666 (Cogdill)—An act to amend, repeal, and add Sections 30142, 30168, 30181, and 30182 of the Revenue and Taxation Code, relating to taxation.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—66

Aghazarian	Dutra	Lowenthal	Reyes
Bates	Dutton	Maddox	Richman
Benoit	Frommer	Maldonado	Ridley-Thomas
Berg	Garcia	Matthews	Runner
Bermudez	Harman	Maze	Salinas
Bogh	Haynes	McCarthy	Samuelian
Calderon	Horton, Jerome	Mountjoy	Simitian
Campbell	Horton, Shirley	Mullin	Spitzer
Canciamilla	Houston	Nakanishi	Steinberg
Chavez	Keene	Nakano	Strickland
Cogdill	Kehoe	Nation	Wiggins
Cohn	La Malfa	Negrete McLeod	Wolk
Corbett	La Suer	Nunez	Wyland
Correa	Laird	Pacheco	Yee
Cox	Levine	Parra	Mr. Speaker
Daucher	Liu	Pavley	
Diaz	Longville	Plescia	

NOES—7

Dymally	Koretz	Lieber	Vargas
Goldberg	Leno	Oropeza	

Above bill ordered enrolled.

ASSEMBLY BILL NO. 278 (Bermudez)—An act to amend Section 337j of the Penal Code, relating to gaming.

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	Dymally	Lieber	Parra
Bates	Frommer	Liu	Pavley
Benoit	Garcia	Longville	Plescia
Berg	Hancock	Lowenthal	Reyes
Bermudez	Harman	Maddox	Richman
Bogh	Haynes	Maldonado	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Montanez	Samuelian
Chavez	Houston	Mountjoy	Spitzer
Cohn	Keene	Mullin	Steinberg
Corbett	Kehoe	Nakanishi	Strickland
Correa	Koretz	Nakano	Vargas
Cox	La Malfa	Nation	Wiggins
Daucher	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Wyland
Dutra	Leno	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

NOES—2

Campbell	Chu
----------	-----

Above bill ordered enrolled.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 18 (Burton)—An act to amend Section 815.3 of the Civil Code, to amend Sections 65040.2, 65351, 65453, and 65560 of, and to add Sections 65351.1 and 65562.5 to, the Government Code, to amend Sections 7050.5 and 7054 of the Health and Safety Code, and to amend Sections 5097.9, 5097.91, 5097.92, 5097.94, 5097.96, 5097.97, 5097.98, 5097.99, and 5097.995 of, to add Sections 5097.10, 5097.96.1, 5097.96.2, 5097.96.3, 5097.96.4, 5097.96.5, 5097.993, 21084.3, 21097, and 21097.5 to, and to amend the heading of Chapter 1.75 (commencing with Section 5097.9) of Division 5 of, the Public Resources Code, relating to Traditional Tribal Cultural Sites.

Bill read third time, and presented by Assembly Member Steinberg.
The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Steinberg moved a call of the Assembly.

Motion carried. Time, 10:55 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

SENATE BILL NO. 1064 (Burton)—An act to amend Section 6902.2 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Assembly Member Leno.

Bill passed by the following vote:

AYES—75

Aghazarian	Dutra	Levine	Parra
Bates	Dutton	Lieber	Pavley
Benoit	Dymally	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	Laird	Negrete McLeod	Wyland
Daucher	Leno	Nunez	Yee
Diaz	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 623 (Ducheny)—An act to add and repeal Section 13997 of, to add and repeal Chapter 4.5 (commencing with Section 6450) of Division 7 of Title 1 of, and to repeal Article 2 (commencing with Section 6460) of Chapter 4.5 of Division 7 of Title 1 of, the Government Code, relating to international trade, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Diaz.

Demand for Previous Question

Assembly Members Vargas, Cohn, Dymally, Hancock, and Goldberg demanded the previous question.

CAUCUS ANNOUNCEMENTS

At 11:13 p.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 11:13 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 11:21 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF SENATE BILL NO. 623

The demand for the previous question was withdrawn.

Senate Bill No. 623 Passed Temporarily

By unanimous consent, Senate Bill No. 623 was passed temporarily on file.

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 149
Assembly Bill No. 227
Assembly Bill No. 1099

Assembly Bill No. 1262
Assembly Bill No. 1528

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 2
Senate Bill No. 228

Senate Bill No. 552
Senate Bill No. 1007

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

September 12, 2003

*Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 87 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1370 (Yee)—An act to amend Section 4094 of the Welfare and Institutions Code, relating to mental health.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Motion to Place a Call of the Assembly

Assembly Member Harman moved a call of the Assembly.

Assembly Member Chan withheld unanimous consent.

Motion by Assembly Member Harman

Assembly Member Harman moved a call of the Assembly.

The roll was opened and the motion for call of the Assembly as relates to Assembly Bill No. 1370 lost by the following vote:

AYES—31

Aghazarian	Daucher	Maddox	Richman
Bates	Dutra	Maldonado	Runner
Benoit	Dutton	Maze	Samuelian
Bogh	Garcia	McCarthy	Spitzer
Campbell	Harman	Nakanishi	Steinberg
Cogdill	Haynes	Pacheco	Strickland
Correa	Houston	Plescia	Wyland
Cox	Keene	Reyes	

NOES—46

Berg	Goldberg	Lieber	Parra
Bermudez	Hancock	Liu	Pavley
Calderon	Horton, Jerome	Longville	Ridley-Thomas
Canciamilla	Horton, Shirley	Lowenthal	Salinas
Chan	Jackson	Matthews	Simitian
Chavez	Kehoe	Montanez	Vargas
Chu	Koretz	Mullin	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Nation	Yee
Diaz	Laird	Negrete McLeod	Mr. Speaker
Dymally	Leno	Nunez	
Frommer	Levine	Oropeza	

Vote Changes

By unanimous consent, the following vote change was permitted on the Harman motion to Place a Call on Assembly Bill No. 1370: Assembly Member Bates, from “No” to “Aye”.

Senate amendments to Assembly Bill No. 1370 concurred in by the following vote:

AYES—70

Aghazarian	Dutton	Longville	Plescia
Bates	Dymally	Lowenthal	Reyes
Berg	Frommer	Maddox	Ridley-Thomas
Bermudez	Garcia	Maldonado	Runner
Bogh	Goldberg	Matthews	Salinas
Calderon	Hancock	Maze	Samuelian
Campbell	Harman	McCarthy	Simitian
Canciamilla	Haynes	Montanez	Spitzer
Chan	Horton, Jerome	Mullin	Steinberg
Chavez	Houston	Nakanishi	Strickland
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	La Suer	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	

NOES—None

Motion to Reconsider on Next Legislative Day

Assembly Member McCarthy moved to reconsider on the next legislative day, the vote whereby Senate amendments to Assembly Bill No. 1370 were concurred in.

Motion Ruled Out of Order

Speaker pro Tempore Kehoe ruled the motion out of order as no motion to reconsider the vote whereby a bill is passed is in order on the last two days preceding the Interim Study Recess.

Parliamentary Inquiry

Assembly Member Aghazarian arose to the following parliamentary inquiry:

Did the Chair announce the vote on Assembly Bill No. 1370 prior to posting the vote?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that Assembly Bill No. 1370 was not under Call and therefore, the vote was not posted.

Point of Order

Assembly Member Pacheco arose to the following point of order:

The Chair stated that a majority present and voting was the vote required to place a call on Assembly Bill No. 1370, and a majority of the members were not present.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled that pursuant to Assembly Rule 101, a majority of the members present and voting determined the motion for a call of the Assembly as it relates to Assembly Bill No. 1370.

Motion for Call of the Assembly

Assembly Member Bogh moved a call of the Assembly.

Motion Out of Order

Speaker pro Tempore Kehoe replied that the House is under Call and therefore, the motion is out of order.

Motion to Recess

Assembly Member Bogh moved to recess until 11:45 p.m.

Motion Ruled Dilatory

Speaker pro Tempore Kehoe ruled the motion dilatory and that the House would proceed with business on the Daily File.

Point of Order

Assembly Member Spitzer arose to the following point of order:

The Chair directed the Clerk to post the vote on Assembly Bill No. 1370 and the vote was not posted.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point not well-taken; that the bill was not on call as the Harman motion to place a call of the Assembly lost.

Assembly Bill No. 1370 ordered enrolled.

FURTHER CONSIDERATION OF SENATE BILL NO. 623

SENATE BILL NO. 623 (Ducheny)—An act to add and repeal Section 13997 of, to add and repeal Chapter 4.5 (commencing with Section 6450) of Division 7 of Title 1 of, and to repeal Article 2 (commencing with Section 6460) of Chapter 4.5 of Division 7 of Title 1 of, the Government Code, relating to international trade, and making an appropriation therefor.

Bill passed by the following vote:

AYES—44

Berg	Frommer	Leslie	Nunez
Bermudez	Garcia	Levine	Oropeza
Calderon	Goldberg	Lieber	Parra
Chan	Hancock	Liu	Ridley-Thomas
Chavez	Horton, Jerome	Longville	Salinas
Chu	Houston	Lowenthal	Simitian
Cohn	Jackson	Matthews	Steinberg
Corbett	Kehoe	Montanez	Vargas
Diaz	Koretz	Mullin	Wiggins
Dutra	Laird	Nakano	Yee
Dymally	Leno	Negrete McLeod	Mr. Speaker

NOES—30

Aghazarian	Cox	Maddox	Richman
Bates	Daucher	Maldonado	Runner
Benoit	Dutton	Maze	Samuelian
Bogh	Harman	McCarthy	Spitzer
Campbell	Haynes	Mountjoy	Strickland
Canciamilla	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Paeheo	
Correa	La Suer	Plescia	

Bill ordered transmitted to the Senate immediately.

(NOTE: On August 18, 2004, the action was rescinded whereby Senate Bill No. 623 was passed, and whereby the bill was ordered transmitted to the Senate. See page 7262.)

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 53 (Negrete McLeod)—An act to amend Sections 21390 of, and to add Section 21391 to, the Government Code, relating to public employees' retirement.

Bill read third time, and presented by Assembly Member Negrete McLeod.

Caucus Request

Assembly Member Strickland requested unanimous consent that the Republican Caucus be permitted to meet in the Tom Banes Rules Committee Room.

Speaker pro Tempore Kehoe withheld unanimous consent.

The roll was opened and Senate Bill No. 53 passed by the following vote:

AYES—44

Berg	Dymally	Lieber	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Maddox	Ridley-Thomas
Chan	Hancock	Montanez	Salinas
Chavez	Horton, Jerome	Mullin	Samuelian
Chu	Jackson	Nakano	Simitian
Cohn	Kehoe	Nation	Steinberg
Corbett	Koretz	Negrete McLeod	Vargas
Correa	Laird	Nunez	Wiggins
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	Mr. Speaker

NOES—18

Aghazarian	Haynes	Maze	Runner
Bates	Houston	McCarthy	Strickland
Campbell	Keene	Nakanishi	Wyland
Garcia	La Malfa	Pacheco	
Harman	Lowenthal	Plescia	

Bill ordered transmitted to the Senate immediately.

SENATE BILL NO. 103 (Alpert)—An act to amend Section 24871 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and presented by Assembly Member Levine.

Bill passed by the following vote:

AYES—42

Berg	Goldberg	Lowenthal	Ridley-Thomas
Bermudez	Hancock	Matthews	Salinas
Calderon	Jackson	Montanez	Simitian
Chan	Kehoe	Mullin	Steinberg
Chavez	Koretz	Nakano	Vargas
Chu	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Correa	Levine	Nunez	Yee
Diaz	Lieber	Oropeza	Mr. Speaker
Dutra	Liu	Parra	
Dymally	Longville	Pavley	

NOES—25

Aghazarian	Garcia	Maldonado	Samuelian
Bates	Harman	Maze	Spitzer
Bogh	Haynes	McCarthy	Strickland
Campbell	Houston	Nakanishi	Wyland
Canciamilla	Keene	Pacheco	
Daucher	La Malfa	Plescia	
Dutton	Maddox	Runner	

Bill ordered transmitted to the Senate.

PARLIAMENTARY INQUIRY

Assembly Member Cox arose to the following parliamentary inquiry:

What is the decorum of the House relative to public debate of issues before the Body?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that demand for the previous question on debate is decided by the Body.

Point of Order

Assembly Member Cox arose to the following point of order.

On a previous matter, the Chair recognized one proponent and one opponent, prior to recognizing the demand for the previous question.

Reply by Speaker pro Tempore Kehoe

Speaker pro Tempore Kehoe replied that the Speaker requests unanimous consent to limit debate to 3 proponents and 3 opponents for the remainder of this day.

Point of Order

Assembly Member Cox arose to the following point of order:

There are measures before the Body today that require more than 3 members to be recognized to debate.

Ruling by Speaker pro Tempore

Speaker pro Tempore Kehoe ruled that the Body would proceed with business on the Daily File.

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 407 (Torlakson)—An act to add Section 41204.2 to the Education Code, and to add Sections 97.5, 97.51, and 97.52 to the Revenue and Taxation Code, relating to local government finance.

Bill read third time, and presented by Assembly Member Mullin.

**TWO HUNDRED EIGHTY-SIXTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA**

Assembly Chamber, September 13, 2003

At 12 midnight.

Speaker pro Tempore Christine Kehoe, presiding

The question being on passage of Senate Bill No. 407.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Mullin moved a call of the Assembly.

Motion carried. Time, 12:03 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

BILL RETURNED TO SENATE

Assembly Member Diaz was granted unanimous consent that Assembly Bill No. 1130 be returned to the Senate for further action.

POINT OF ORDER

Assembly Member Mountjoy arose to the following point of order:

Pursuant to Joint Rules 51 and 61, the hour of midnight having arrived, no further business is in order.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled that there is a Legislative Counsel's opinion at the Desk stating that stopping the clock is determined by the House.

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 Jule Boldizsar, of Yucca Valley.

(Assembly Rule 45.5 suspended.)

SPECIAL COMMITTEE MEETINGS

Assembly Member Steinberg was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting today, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 902.

CAUCUS ANNOUNCEMENTS

At 12:09 a.m., Assembly Member Strickland was granted unanimous consent that the Republican Caucus be permitted to meet in the Tom Bane Rules Committee Room.

At 12:11 a.m., Assembly Member Oropeza announced that the Democratic Caucus would meet in the Assembly Lounge.

RECESS

By unanimous consent, at 12:11 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 12:20 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1680 (Strickland)—An act to add and repeal Section 7310 of 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—67

Aghazarian	Hancock	Maddox	Reyes
Bates	Harman	Maldonado	Richman
Benoit	Haynes	Matthews	Ridley-Thomas
Berg	Horton, Jerome	Maze	Runner
Bogh	Horton, Shirley	McCarthy	Salinas
Campbell	Houston	Mountjoy	Samuelian
Canciamilla	Jackson	Mullin	Simitian
Chavez	Keene	Nakanishi	Spitzer
Cogdill	Kehoe	Nakano	Steinberg
Cohn	La Malfa	Nation	Strickland
Correa	La Suer	Negrete McLeod	Vargas
Cox	Laird	Nunez	Wiggins
Daucher	Leno	Oropeza	Wolk
Diaz	Leslie	Pacheco	Wyland
Dutra	Levine	Parra	Yee
Dutton	Lieber	Pavley	Mr. Speaker
Garcia	Lowenthal	Plescia	

NOES—2

Goldberg Koretz

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 18**

At 12:24 a.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Steinberg moved to continue the call of the Assembly.

Motion carried. Time, 12:25 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12:27 a.m., by unanimous consent, the members of the Committee on Appropriations were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Haynes was granted unanimous consent that the following statement of clarification be printed in the Journal:

Clarification—Senate Bill No. 18

September 12, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: There has been a request for clarification of Section 21097(i) and (j) of the Public Resources Code as contained in SB 18. Differing opinions as to their potential meaning have been presented to the Legislature.

In subdivision (i), the NAHC may make a final determination that a proposed project will result in a substantial adverse change to a TTCS. If the consulting parties do not agree on project changes or mitigation measures, the NAHC may recommend project changes or mitigation measures to the lead agency, which must consider the recommendation.

Certain tribal, local government and construction industry representatives were concerned that, in its implementation and interpretation, this section might be read to require the lead agency to follow the recommendation of the NAHC without the lead agency exercising the lead agency's independent judgment in determining the feasibility of project changes or mitigation measures pursuant to Section 21097(i). This letter is intended to prevent that misunderstanding. In considering the recommendations of the NAHC, the lead agency shall exercise its independent judgment and, if it determines that the recommended project changes or mitigation measures are not feasible, the lead agency may not adopt them.

With respect to subdivision (j) of Section 21097, this section provides the criteria by which local lead agencies may approve or carry out a project when adopting a statement of overriding considerations. Subdivision (j)(2) applies to projects located on state lands or federal

lands managed by the state that will result in a substantial adverse change to TTCS. Subdivision (j)(1) applies to all other projects. Tribal, local government and construction industry groups were concerned that, in its implementation and interpretation, this subdivision might be read to only permit findings provided in Section 21081, subdivision (b), of the Public Resources Code. This letter is intended to clarify that for projects on private land, subdivision (j)(2) does not apply and a public agency approving or carrying out a project shall be subject to the requirements of Section 21081, including subdivision (a) of Section 21081, and subdivision (j)(1) of Section 21097; projects on private land shall not be subject to the more limited override provisions of subdivision (j)(2).

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 487

Assembly Bill No. 896

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, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1588

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, September 13, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 977

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 407**

At 12:28 a.m., on motion of Assembly Member Mullin, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 407 refused passage by the following vote:

AYES—24

Chan	Goldberg	Lieber	Ridley-Thomas
Chu	Hancock	Maze	Steinberg
Cohn	Kehoe	Montanez	Vargas
Corbett	Laird	Mullin	Wiggins
Diaz	Leno	Nation	Yee
Dymally	Levine	Nunez	Mr. Speaker

NOES—39

Aghazarian	Dutton	Longville	Plescia
Bates	Garcia	Maddox	Reyes
Benoit	Haynes	Maldonado	Richman
Berg	Horton, Shirley	Matthews	Runner
Campbell	Houston	McCarthy	Samuelian
Canciamilla	Keene	Mountjoy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Correa	La Suer	Negrete McLeod	Wolk
Cox	Leslie	Pacheco	Wyland
Daucher	Liu	Parra	

Vote Changes

By unanimous consent, the following vote changes were permitted on Senate Bill No. 407: Assembly Member Parra, from “Aye” to “No”; Assembly Member Oropeza, from “Aye” to “Not Voting”.

**Motion to Reconsider Senate Bill No. 407
on Next Legislative Day**

Assembly Member Mullin moved to reconsider on the next legislative day the vote whereby Senate Bill No. 407 was this day refused passage.

Senate Bill No. 407 ordered to the unfinished business file.

At 12:30 a.m., Hon. Sarah Reyes, 31st District, presiding

**CONSIDERATION OF SUPPLEMENTAL FILE
UNFINISHED BUSINESS (RESUMED)**

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 17 (Kehoe)—An act to add Section 10295.3 to the Public Contract Code, relating to public contracts.

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—41

Berg	Dymally	Liu	Ridley-Thomas
Bermudez	Frommer	Longville	Simitian
Calderon	Goldberg	Lowenthal	Steinberg
Canciamilla	Hancock	Montanez	Vargas
Chan	Jackson	Mullin	Wiggins
Chavez	Kehoe	Nakano	Wolk
Chu	Koretz	Nation	Yee
Cohn	Laird	Negrete McLeod	Mr. Speaker
Corbett	Leno	Nunez	
Diaz	Levine	Oropeza	
Dutra	Lieber	Pavley	

NOES—34

Aghazarian	Dutton	Leslie	Plescia
Bates	Garcia	Maddox	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Correa	Keene	Nakanishi	Wyland
Cox	La Malfa	Pacheco	
Daucher	La Suer	Parra	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 17: Assembly Member Salinas, from “Aye” to “Not Voting”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 256 (Kehoe)—An act to amend Sections 8169.6, 14669.15, 14669.16, and 14957 of, and to add Section 14672.100 to, the Government Code, relating to public works, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Mountjoy moved a call of the Assembly.

Motion carried. Time, 12:45 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 185 (Jerome Horton)—An act to add Section 486 to the Food and Agricultural Code, relating to cooperative agreements.

At 12:46 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—74

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Salinas
Calderon	Harman	Maldonado	Samuelian
Canciamilla	Horton, Jerome	Matthews	Simitian
Chan	Horton, Shirley	Maze	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—5

Campbell	McCarthy	Runner
Haynes	Mountjoy	

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONFERENCE COMMITTEE REPORTS**

SENATE BILL NO. 552 (As proposed by the Conference Committee)—An act to add Section 25722.5 to the Public Resource Code, relating to state purchases.

Conference Committee Report presented by Assembly Member Nation.

Report adopted by the following vote:

AYES—46

Berg	Horton, Shirley	Matthews	Ridley-Thomas
Chan	Jackson	Maze	Runner
Chu	Kehoe	Montanez	Salinas
Cohn	Koretz	Mullin	Simitian
Corbett	Laird	Nakano	Steinberg
Diaz	Leno	Nation	Vargas
Dutra	Levine	Negrete McLeod	Wiggins
Dymally	Lieber	Nunez	Wolk
Frommer	Liu	Oropeza	Yee
Goldberg	Longville	Pavley	Mr. Speaker
Hancock	Lowenthal	Reyes	
Harman	Maldonado	Richman	

NOES—28

Aghazarian	Cox	La Malfa	Pacheco
Bates	Daucher	La Suer	Parra
Benoit	Dutton	Leslie	Plescia
Bogh	Garcia	Maddox	Samuelian
Campbell	Haynes	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Correa	Keene	Nakanishi	Wyland

THIRD READING OF SENATE BILLS (RESUMED)

SENATE BILL NO. 428 (Perata)—An act to amend Sections 1575.5 and 100445 of, and to repeal and add Section 1575.9 of, the Health and Safety Code, and to amend Sections 14526, 14552, 14573, 14574, and 14574.1 of, and to add Sections 14552.1, 14552.2, and 14572.1 to, the Welfare and Institutions Code, relating to adult day health care, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Berg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

ASSEMBLY RULE 69(d) SUSPENDED

Assembly Member Berg was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 428, without reference to file.

SENATE BILL NO. 428 (Perata)—An act to amend Sections 1575.5 and 100445 of, and to repeal and add Section 1575.9 of, the Health and Safety Code, and to amend Sections 14526, 14552, 14573, 14574, and 14574.1 of, and to add Sections 14552.1, 14552.2, and 14572.1 to, the Welfare and Institutions Code, relating to adult day health care.

Bill read third time, and presented by Assembly Member Berg.

Bill passed by the following vote:

AYES—69

Aghazarian	Dutton	Longville	Richman
Bates	Dymally	Lowenthal	Ridley-Thomas
Benoit	Frommer	Maldonado	Runner
Berg	Garcia	Matthews	Salinas
Bermudez	Goldberg	Maze	Samuelian
Calderon	Hancock	McCarthy	Simitian
Canciamilla	Harman	Montanez	Spitzer
Chan	Horton, Jerome	Mullin	Steinberg
Chavez	Horton, Shirley	Nakano	Strickland
Chu	Houston	Nation	Vargas
Cogdill	Jackson	Negrete McLeod	Wiggins
Cohn	Kehoe	Nunez	Wolk
Corbett	Koretz	Oropeza	Wyland
Correa	Laird	Pacheco	Yee
Cox	Leno	Parra	Mr. Speaker
Daucher	Levine	Pavley	
Diaz	Lieber	Plescica	
Dutra	Liu	Reyes	

NOES—9

Bogh	Keene	Leslie
Campbell	La Malfa	Mountjoy
Haynes	La Suer	Nakanishi

Bill ordered transmitted to the Senate immediately.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 523 (Calderon)—An act to amend Section 7507.9 of the Business and Professions Code, relating to collateral recovery.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	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	
Dutra	Levine	Parra	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 18**

At 1:12 a.m., on motion of Assembly Member Steinberg, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 18 refused passage by the following vote:

AYES—38

Berg	Hancock	Longville	Ridley-Thomas
Chan	Haynes	Lowenthal	Simitian
Chavez	Horton, Jerome	Maddox	Steinberg
Chu	Jackson	Montanez	Strickland
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Yee
Dymally	Leno	Oropeza	Mr. Speaker
Garcia	Levine	Pavley	
Goldberg	Lieber	Reyes	

NOES—14

Bates	Daucher	Leslie	Richman
Benoit	Horton, Shirley	Mountjoy	Wyland
Campbell	La Malfa	Parra	
Cogdill	La Suer	Plescia	

(NOTE: Later this day a motion to reconsider the above vote on Senate Bill No.18 was offered by Assembly Member Steinberg.)

**REPORTS OF STANDING COMMITTEES
Committee on Appropriations**

Date of Hearing: September 12, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Senate Bill No. 902

With the recommendation: Do pass.

STEINBERG, Chair

Above bill ordered to second reading.

**SENATE BILL NO. 902 TAKEN UP BY UNANIMOUS CONSENT
FOR SECOND READING**

Assembly Member Chan was granted unanimous consent to take up Senate Bill No. 902 without reference to file, for the purpose of reading the bill a second time.

SENATE BILL NO. 902—An act to add Section 21413.5 to the Government Code, relating to public employees' retirement.

Bill read second time, and ordered to third reading.

CONSIDERATION OF SENATE BILL NO. 902 BY UNANIMOUS CONSENT

Assembly Member Pavley was granted unanimous consent to take up Senate Bill No. 902 without reference to file, for purpose of consideration.

SENATE BILL NO. 902 (Soto)—An act to add Section 21413.5 to the Government Code, relating to public employees' retirement.

Bill read third time, and presented by Assembly Member Pavley.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Bogh moved a call of the Assembly.

Motion carried. Time, 1:21 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 256**

At 1:23 a.m., on motion of Assembly Member Mountjoy, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 256 by the following vote:

AYES—46

Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Matthews	Ridley-Thomas
Chan	Horton, Jerome	Montanez	Salinas
Chavez	Jackson	Mullin	Simitian
Chu	Kehoe	Nakanishi	Steinberg
Cohn	Koretz	Nakano	Vargas
Corbett	Laird	Nation	Wiggins
Correa	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Parra	
Frommer	Longville	Pavley	

NOES—31

Aghazarian	Daucher	La Malfa	Plescia
Bates	Dutton	La Suer	Richman
Benoit	Garcia	Maddox	Runner
Bogh	Harman	Maldonado	Samuelian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland
Cox	Keene	Pacheco	

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
ASSEMBLY BILL NO. 253 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Steinberg was granted unanimous consent that the vote be reconsidered whereby Assembly Bill No. 253 was refused concurrence in Senate amendments.

Further Consideration of Assembly Bill No. 253

ASSEMBLY BILL NO. 253 (Steinberg)—An act to add Section 1276.41 to the Health and Safety Code, relating to health facilities.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—29

Berg	Hancock	Lowenthal	Vargas
Bermudez	Jackson	Montanez	Wiggins
Chu	Koretz	Mullin	Wolk
Cohn	Laird	Nakano	Yee
Corbett	Leno	Nation	Mr. Speaker
Diaz	Levine	Pavley	
Dutra	Lieber	Simitian	
Goldberg	Longville	Steinberg	

NOES—33

Aghazarian	Dutton	Maldonado	Richman
Bates	Garcia	Maze	Runner
Benoit	Harman	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Spitzer
Campbell	Houston	Nakanishi	Strickland
Cogdill	Keene	Pacheco	Wyland
Correa	La Malfa	Parra	
Cox	La Suer	Plescia	
Daucher	Maddox	Reyes	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 253: Assembly Member Oropeza, from "Aye" to "Not Voting".

ASSEMBLY BILL NO. 953 (Houston)—An act to amend Section 66462.5 of the Government Code, relating to land use.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—56

Aghazarian	Dutra	Levine	Plescia
Bates	Dutton	Liu	Reyes
Benoit	Frommer	Maddox	Richman
Bermudez	Garcia	Maldonado	Runner
Bogh	Harman	Matthews	Salinas
Calderon	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Simitian
Canciamilla	Houston	Mountjoy	Spitzer
Chavez	Keene	Nakanishi	Steinberg
Cogdill	La Malfa	Nakano	Strickland
Correa	La Suer	Nation	Vargas
Cox	Laird	Oropeza	Wyland
Daucher	Leno	Pacheco	Yee
Diaz	Leslie	Parra	Mr. Speaker

NOES—2

Goldberg Jackson

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
SENATE BILL NO. 902**

At 1:45 a.m., on motion of Assembly Member Bogh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Senate Bill No. 902 passed by the following vote:

AYES—60

Aghazarian	Frommer	Longville	Pavley
Berg	Goldberg	Lowenthal	Plescia
Bermudez	Hancock	Maddox	Reyes
Bogh	Horton, Jerome	Maldonado	Ridley-Thomas
Calderon	Jackson	Matthews	Salinas
Canciamilla	Keene	Montanez	Samuelian
Chan	Kehoe	Mullin	Simitian
Chu	Koretz	Nakanishi	Steinberg
Cohn	La Malfa	Nakano	Strickland
Corbett	La Suer	Nation	Vargas
Correa	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Wyland
Dutton	Lieber	Pacheco	Yee
Dymally	Liu	Parra	Mr. Speaker

NOES—7

Campbell	Haynes	Maze	Runner
Harman	Houston	Mountjoy	

Vote Changes

By unanimous consent, the following vote change was permitted on Senate Bill No. 902: Assembly Member Wyland, from “No” to “Aye”.

Bill ordered transmitted to the Senate:

(NOTE: On August 23, 2004, the action was rescinded whereby Senate Bill No. 902 was passed, and whereby the bill was ordered transmitted to the Senate. See page 7440.)

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 855 (Firebaugh)—An act to add Section 14666.8 to the Government Code, to amend Section 280 of, and to add Section 280.5 to, the Public Utilities Code, relating to telecommunications.

Bill presented by Assembly Member Levine.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—54

Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Calderon	Goldberg	Maddox	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Houston	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Yee
Dutra	Levine	Oropeza	Mr. Speaker
Dutton	Lieber	Parra	
Dymally	Liu	Pavly	

NOES—23

Aghazarian	Cox	Leslie	Plescia
Bates	Daucher	Maze	Runner
Benoit	Harman	McCarthy	Samuelian
Bogh	Haynes	Mountjoy	Strickland
Campbell	Keene	Nakanishi	Wyland
Cogdill	La Malfa	Pacheco	

Above bill ordered enrolled.

At 1:50 a.m., Hon. Sarah Reyes, 55th District, presiding

ASSEMBLY BILL NO. 296 (Oropeza)—An act to amend Sections 14612, 22825.01, 25350.8, 25350.85, 25350.10, 25350.105, 26826.4, 26827, 68086, 68933, and 69926.5 of, and to add and repeal Section 14612.2 of, the Government Code, to amend Section 62.5 of the Labor Code, to amend and repeal Section 6611 of the Public Contract Code, to amend Section 40433 of, and to repeal Section 40409 of, the Public Resources Code, to amend Section 97.68 of, and to add Section 97.46 to, the Revenue and Taxation Code, to amend Section 17604 of the Welfare and Institutions Code, and to amend Item 3910-001-0387 of Section 2.00 of Chapter 157 of the Statutes of 2003, relating to state and local government.

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—49

Berg	Goldberg	Lowenthal	Reyes
Bermudez	Hancock	Matthews	Ridley-Thomas
Calderon	Horton, Jerome	Montanez	Salinas
Chavez	Horton, Shirley	Mullin	Simitian
Chu	Jackson	Nakano	Steinberg
Cohn	Kehoe	Nation	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Cox	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker
Dymally	Lieber	Parra	
Frommer	Liu	Pavley	
Garcia	Longville	Plescia	

NOES—27

Aghazarian	Correa	La Malfa	Nakanishi
Bates	Daucher	La Suer	Runner
Benoit	Dutton	Leslie	Samuelian
Bogh	Harman	Maddox	Spitzer
Campbell	Haynes	Maze	Strickland
Canciamilla	Houston	McCarthy	Wyland
Cogdill	Keene	Mountjoy	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 296: Assembly Member Wyland, from "Aye" to "No".

Above bill ordered enrolled.

At 1:52 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 457 (Negrete McLeod)—An act to add and repeal Sections 20901.5, 20901.6, 20902.6, 20904.5, and 31641.06 of, and to repeal, add, and repeal Section 20903.5 of, the Government Code, relating to public employees' retirement.

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	Dutton	Longville	Reyes
Bates	Dymally	Maddox	Richman
Berg	Frommer	Maldonado	Ridley-Thomas
Bermudez	Garcia	Matthews	Salinas
Calderon	Goldberg	Montanez	Samuelian
Canciamilla	Hancock	Mullin	Simitian
Chan	Horton, Jerome	Nakanishi	Spitzer
Chavez	Horton, Shirley	Nakano	Steinberg
Chu	Jackson	Nation	Vargas
Cohn	Kehoe	Negrete McLeod	Wiggins
Corbett	Koretz	Nunez	Wolk
Correa	Laird	Oropeza	Yee
Cox	Leno	Pacheco	Mr. Speaker
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Liu	Plescia	

NOES—13

Benoit	Haynes	Maze	Wyland
Bogh	Houston	McCarthy	
Campbell	Keene	Mountjoy	
Harman	La Malfa	Strickland	

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 457: Assembly Member Cox, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY BILL NO. 719 (Negrete McLeod)—An act to add Section 20909 to the Government Code, relating to public employees’ retirement, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—65

Aghazarian	Dutton	Maddox	Ridley-Thomas
Bates	Dymally	Maldonado	Runner
Berg	Frommer	Matthews	Salinas
Bermudez	Garcia	McCarthy	Samuelian
Bogh	Goldberg	Montanez	Simitian
Calderon	Horton, Jerome	Mullin	Spitzer
Canciamilla	Horton, Shirley	Nakanishi	Steinberg
Chan	Houston	Nakano	Strickland
Chavez	Jackson	Nation	Vargas
Chu	Kehoe	Negrete McLeod	Wiggins
Cohn	La Malfa	Nunez	Wolk
Corbett	Laird	Oropeza	Wyland
Correa	Leno	Pacheco	Yee
Cox	Levine	Parra	Mr. Speaker
Daucher	Lieber	Pavley	
Diaz	Liu	Plescia	
Dutra	Longville	Reyes	

NOES—6

Campbell	Haynes	Mountjoy
Harman	Keene	Richman

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate Amendments to Assembly Bill No. 719: Assembly Member Bogh, from “No” to “Aye”.

Above bill ordered enrolled.

ASSEMBLY RULE 77 SUSPENDED

Assembly Member Chan was granted unanimous consent that Assembly Rule 77 be suspended to permit consideration of Senate amendments to Assembly Bills Nos. 487 and 1588.

ASSEMBLY BILL NO. 487 (Frommer)—An act add Section 1936.3 to, and to add and repeal Sections 1936.2 and 1936.4 of, the Civil Code, relating to rental vehicle fees, and making an appropriation therefor

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Frommer moved a call of the Assembly.

Motion carried. Time, 2:05 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

MESSAGES FROM THE SENATE

Senate Chamber, September 13, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1130

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bills Nos. 197 and 118, on request of Assembly Member Chan.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Chan was granted unanimous consent that the following statements of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 715

September 11, 2003

E. Dotson Wilson

Chief Clerk, California State Assembly

State Capitol, Room 3196

Sacramento, California

Dear Mr. Wilson: I am writing this letter to clarify my intent regarding Assembly Bill 715, dealing with the marketing use of personal health information by health care providers, health care service plans and their contractors. I request that this letter be placed in the Journal as a matter of record.

This bill amends the Confidentiality of Medical Information Act to provide that health care providers, health care service plans and their contractors are prohibited from using personal health information for marketing purposes. However, AB 715 specifically excludes certain communications from the definition of marketing, including communications that are tailored to the circumstances of a particular individual to educate or advise the individual about their treatment options and otherwise maintain the individual's adherence to a prescribed course of medical treatment. This exemption is limited to chronic and seriously debilitating or life-threatening conditions as defined in subdivisions (d) and (e) of Section 1367.21 of the Health and Safety Code. This code section defines "chronic and seriously debilitating" as diseases or conditions that require ongoing treatment to maintain remission or prevent deterioration and cause significant long-term morbidity.

It is my intent with respect to this bill that the definition of chronic and seriously debilitating or life-threatening apply to both physical and mental diseases or conditions.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

Legislative Intent—Assembly Bill No. 827

September 10, 2003

*E. Dotson Wilson, Chief Clerk
California State Assembly
Sacramento, California*

Dear Mr. Wilson: The purpose of the letter is to clarify my intention with respect to AB 827. Specifically, the term “representation,” as used in the bill, is intended to mean legal representation and/or lobbying services directly related to the industry or the profession regulated by the board of which the public or lay person is a member.

Thank you for your attention to this matter. If you have any questions regarding this request, please do not hesitate to contact me at 319-3301.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

Legislative Intent—Assembly Bill No. 786

September 11, 2003

*E. Dotson Wilson
Chief Clerk of the Assembly*

Dear Mr. Wilson: Assembly Bill 786 would require the County of San Mateo, on a pilot project basis, to adopt the Minimum Data Set-Home Care (MDS-HC) assessment instrument for use by home- and community-based programs in San Mateo County that serve elderly and disabled persons. This bill would provide that state funds shall not be appropriated for its purposes.

Many home- and community-based health programs receive funding from State-administered programs that use federal funds, such as the Medi-Cal program, and must comply with federal requirements to maintain eligibility for federal funding. The federal government will sometimes modify those requirements, upon request by the appropriate State agency. If a federal agency requires submission of a federal Medicaid waiver for implementation of AB 786, the Department of Health Services would incur substantial costs for preparation of that request. This would create an inconsistency because AB 786 requires that no State funds be appropriated for its purposes.

To avoid this inconsistency, I am clarifying, by this letter, that implementation of this bill will be terminated if a federal agency requires the Department of Health Services to submit a federal Medicaid waiver as a condition for implementation of AB 786.

I ask that this letter be included in the Assembly Journal.

LYNN DAUCHER, Assembly Member
Seventy-second District

Legislative Intent—Senate Bill No. 709

September 10, 2003

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request this letter be entered into the Assembly Journal to clarify the record as to one point relative to SB 709 that I authored, as it was considered and acted upon on the Assembly Floor.

Section one of the bill creates Section 40606 in the Health and Safety Code and authorizes the San Joaquin Air Pollution Control District board to monitor emissions from all stationary agricultural pumps in the district. This would include those that might be designated by the federal Environmental Protection Agency as “nonroad” engines that are subject to the requirements of Title II of the federal Clean Air Act (42 U.S.C. Sec. 7521 et seq.).

The intent of this section is to allow the district to monitor and measure emissions from all agricultural pumps. However, I understand that with the passage of SB 700, the district will have the authority to require operating permits for all internal combustion engines used at agricultural operations, except an engine that is used to propel implements of husbandry. This would make Section 40606 of SB 709 unnecessary and duplicative.

If SB 700 is passed by the legislature and signed by the governor, it is my intent that Section 40606 of the Health and Safety Code enacted by SB 709 will be null and void.

Sincerely,

DEAN FLOREZ
Senator, Sixteenth District

Legislative Intent—Senate Bill No. 700

September 10, 2003

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request this letter be entered into the Assembly Journal to clarify the record as to two points relative to SB 700 that I authored, as it was considered and acted upon on the Assembly Floor.

1. Section 2 of the bill adds Section 39011.5 to the Health and Safety Code relative to the definition of “agricultural source of air pollution”. Amendments to this section of the bill on September 9, 2003, include the insertion of a new subsection (b) to read: (b) Any district rule or regulation affecting stationary sources on agricultural operations adopted on or before January 1, 2004, is applicable to an agricultural source.

The purpose of this amendment is to clarify that rules proposed by an air district regarding stationary sources of air pollution on agricultural operations adopted by January 1, 2004 apply to those agricultural sources within the district that adopts the rule or regulation.

2. Language in amendments made to the bill on September 9, 2003, in Sections 40724.6 (c)(1), 42301.16 (b)(2), 42301.16 (c)(2), refer to the showing by an air district that air pollutants “cause or contribute to a violation of a state or federal ambient air quality standard”.

The intent of these sections is to ensure that each district, in its permitting of agricultural sources, is required to use the same standards in evaluating regulatory actions on agricultural sources of air pollution that it uses when evaluating regulatory actions on other sources of air pollution. Specifically, each district’s showing shall be consistent, with its showing for other source categories as it involves the district’s determination of the significance of the emissions in causing or contributing to a violation of an ambient air quality standard, the technical and practical feasibility of reducing such emissions, the cost-effectiveness of the options for emission reductions, and the need for, and effect of requiring such sources to obtain permits.

Because of this intent, and the late date to which the amendments were made, I am proceeding with this legislation with the intent and understanding that the district rule applicability and consistent standards will be applied in implementation of the appropriate sections of this legislation.

Sincerely,

DEAN FLOREZ
Senator, Sixteenth District

Legislative Intent—Senate Bill No. 606

September 11, 2003

*E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: Senate Bill 606 (Vasconcellos) requires that a questionnaire regarding pupil vision be distributed to students. It also requires the State Department of Education to either develop a questionnaire, as specified, or adopt an available questionnaire. If the department elects to adopt an available questionnaire, it is required first to attempt to find and adopt a scientifically validated vision questionnaire for distribution. If the department cannot find such a questionnaire, it may then review other available questionnaires, one of which it must adopt.

I would like to clarify that among the questionnaires that the department may adopt is a "Vision Care Checklist for California Kids" published by the California Optometric Association.

Thank you for your attention to this matter.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

Legislative Intent—Assembly Bill No. 826

September 9, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Re: Letter to the Assembly Journal Regarding Assembly Bill 826

Dear Mr. Speaker: I respectfully submit for your consideration, this letter for the Assembly Journal with respect to the intent of the addition of Section 25249.2 of the Health and Safety Code in the September 2, 2003, version of my AB 826, dealing with perchlorate reporting requirements. This language requires certain perchlorate facilities, as defined, to submit to the California Environmental Protection Agency, on or before July 1, 2004, a summary report of any subsurface and any groundwater monitoring, investigation, or remediation work that has been performed at the facility with regard to perchlorate.

It is not my intent to require double reporting of this information by facilities already under order to submit such information to the federal, state and local regulatory agencies. The California Environmental Protection Agency, including the affected agencies within its jurisdiction, the State Water Resources Control Board and the Department of Toxic Substances Control, have indicated that they would not expect such facilities to double report, but merely provide a letter by the compliance date that similar information has been included in response to an order issued by a regional water quality control board pursuant to Division 7, Chapter 5 of the Water Code, or an order,

consent order or consent decree issued or entered into by the department pursuant to Division 20, Chapter 6.8 of the Health & Safety Code. The letter should then merely identify the subject order.

Similarly, the facility should not be required to doubly submit similar information that is reasonably available to the California Environmental Protection Agency. Therefore, if a facility believes the document is reasonably available, it may identify by letter similar information contained in an order, consent order or consent decree issued or entered into by the United States Environmental Protection Agency pursuant to the Federal act, as that term is defined in Health and Safety Code sections 25115.1 and 25315. However, the California Environmental Protection Agency may require the facility to submit that information if it determines that such information is not reasonably available.

This letter is submitted to the journal to clarify my intent rather than to seek amendments to this measure at this late date in the process this year. Thank you for your assistance in this matter.

Sincerely,

HANNAH-BETH JACKSON, Assembly Member
Thirty-fifth District

Legislative Intent—Assembly Bill No. 1082

September 10, 2003

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This letter is to clarify the purpose of AB 1082 as to the application of the bill. At present, the bill is in Enrollment.

The purpose of adding subdivision (b) to Section 22869 was to allow a subset of local contracting agencies that currently contract with the California Public Employees' Retirement System (CalPERS) to provide health insurance benefits to their employees. Prior to January 1, 2000, these agencies adopted policies recognizing an employee's domestic partner for the purpose of providing health insurance benefits to that partner. These policies recognized both same and opposite-sex domestic partnerships. Moreover, they did not require the members of the opposite-sex domestic partnerships to be over a certain age but, like all domestic partnerships recognized by the policies, did require that they file a document with the agency attesting to their partnership. Through my research, I have determined that there are at least six local contracting agencies that fall within the bill's provisions. They include the City of Cathedral City, the City of Palo Alto, the City of Santa Cruz, the City of West Hollywood, the County of Santa Cruz and the Santa Cruz Metropolitan Transit District.

On January 1, 2000, AB 26 (Chapter 588, Statutes of 1999) became effective. AB 26 authorized local contracting agencies the option to offer domestic partner health insurance benefits to their employees through the CalPERS program but restricted this option to those employees that met the domestic partnership definition contained in Family Code section 297, i.e., same-sex couples or opposite-sex couples

where both partners are over the age of 62. AB 25 (Chapter 893, Statutes of 2001) subsequently amended this definition to require that at least one of the partners be over the age of 62.

AB 1082 will allow those few qualifying local contracting agencies the option to provide CalPERS health insurance coverage to the opposite-sex domestic partners where both partners are under the age of 62, provided that a local definition was adopted prior to January 1, 2000.

I would appreciate having this letter published in the Assembly Journal.

Sincerely,

JOHN LAIRD, Assembly Member
Twenty-seventh District

Legislative Intent—Assembly Bill No. 1640

September 10, 2003

The Honorable Herb J. Wesson
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Re: Letter to the Assembly Journal re:
Underground Storage Tanks and Certified Unified Program
Agencies (CUPAs)

Dear Mr. Speaker: I respectfully submit for your consideration, this letter for the Assembly Journal with the passage of AB 1640. AB 1640 was the product of consensus negotiations among the regulated community, state agencies and local agencies, and I am supportive of measures developed by consensus. Indeed there have been several measures passed this year relating to the Underground Storage Tank Program as well as the CUPA program.

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program consolidates and coordinates under the California Environmental Protection Agency the management of hazardous waste, hazardous materials and underground storage tanks. That Act authorizes the certification of local agencies (both CUPAs and local designated officers) to assume responsibility for enforcement of elements of the program. One of the six programs that are brought together under the unified system is the underground storage tank programs.

While it is not my intention to comment on any particular aspect of the legislation passed in this legislative session, I did want to state for the record that, in my capacity as Chair of the Environmental Safety Committee, I intend in the upcoming months to examine the "chain of command" elements between the state and local levels for the underground storage tank program to make sure that oversight roles and boundaries of responsibility are clear and traceable.

Thank you for your assistance in this matter.

Sincerely,

JOHN LAIRD, Assembly Member
Twenty-seventh District

Legislative Intent—Senate Bill No. 420

September 10, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Re: Legislative Intent Regarding SB 420
(as amended September 4, 2003)

Dear Mr. Speaker: In order to clarify the Legislature's intent in enacting Senate Bill 420, I respectfully request that this letter be published in the Assembly Daily Journal.

Fully recognizing that Proposition 215 cannot be amended by the Legislature, we have resisted all efforts to make the new identification card system created by SB 420 mandatory—and at least two times SB 420 contains specific language declaring our intent that this program is wholly voluntary.

In addition, the guidelines in SB 420 establish permissible amounts that are intended to be the threshold, and not a ceiling.

Furthermore, SB 420 specifically allows localities with higher possession or cultivation amounts to retain them, and other local jurisdictions to establish new guidelines to exceed what has been set forth in this bill. No jurisdiction may establish amounts lower than those set forth in SB 420.

Altogether, we believe that our final version of SB 420 is the very best we could hope to get enacted into law and that it provides (pursuant to the California voters' will in enacting Proposition 215) broad protection to tens of thousands of ill Californians without jeopardizing any ill Californians.

Thank you for allowing us to clarify our legislative intent regarding SB 420.

Sincerely,

MARK LENO
Assemblyman, 13th District

JOHN VASCONCELLOS
Senator, 13th District

Legislative Intent—Assembly Bill No. 1541

September 5, 2003

*The Honorable Herb J. Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Re: Letter to the Assembly Journal

Dear Mr. Speaker: I respectfully submit for your consideration language meant to clarify the intent of Assembly Bill 1541. In an effort to find common ground between all interested parties, the following language, as proposed by the California Manufacturers and Technology Association, would be entered into the Assembly Journal:

Assembly Bill 1541 adds “failure to submit” certain specified reports to the enumerated violations included in the “serious violation” category subject to mandatory minimum penalties under Water Code Section 13385. “Failure to submit” means that the permittee has not provided the report within the time frame specified in this legislation. “Failure to submit” does not include submittal of reports that are missing sample results or are otherwise incomplete.

The goal of this entry into the Journal is to help alleviate continued opposition to the bill without altering its language. Rather this step elucidates the bill’s intent and provides a satisfactory solution to the opponents.

If there are any questions or concerns regarding this language or the request, please do not hesitate to contact Janelle Beland, Legislative Director, at 319-2039. Thank you for your time and consideration.

Sincerely,

CINDY MONTAÑEZ, Assembly Member
Thirty-ninth District

Legislative Intent—Assembly Bill No. 767

August 26, 2003

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

RE: Legislative Intent of AB 767 (Nakano)

Dear Mr. Speaker: A question of intent has arisen regarding Section 1.5 of AB 767 dealing with 3-day notices. Specifically whether the Legislature intended to require that tenants receive three notices that include the new information required by AB 805, prior to being eligible to have their tenancy terminated. It is the intent of the Legislature that a tenancy may be terminated if the tenant receives three 3-day notices if

those notices were either lawfully given pursuant to Civil Code Section 798.56 prior to January 1, 2004, or lawfully given pursuant to AB 805 (Chapter 85, Statutes of 2003) after January 1, 2004.

Sincerely,

GEORGE NAKANO, Assembly Member
Fifty-third District

MANNY DIAZ, Assembly Member
Twenty-third District

Legislative Intent—Assembly Bill No. 1588

September 12, 2003

To the Members of the California Assembly: It was my intent when drafting AB 1588 (Negrete McLeod) to make it only applicable to hospitals in San Bernardino County. Therefore, I will introduce clean-up legislation in January, 2004 that will clarify that this legislation is only applicable to the county and includes a sunset provision.

Sincerely,

GLORIA NEGRETE MCLEOD, Assembly Member
Sixty-first District

Legislative Intent—Assembly Bill No. 1762

*E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol
Sacramento, California*

I respectfully request this letter printed in the Assembly Journal for the purpose of clarifying the intent of AB 1762 (Committee on Budget). AB 1762 chaptered by the Secretary of State on August 11, 2003, contains numerous statutory changes pertaining to state health care programs. Among these changes is the imposition of a quality improvement fee on the capitation payments paid to Medi-Cal managed care plans for enrolled Medi-Cal beneficiaries (Section 73, Welfare & Institutions Code Section 14464.5 (b)). While the fee would be imposed on an annual basis, it would be paid to the state monthly.

Pursuant to subdivision (c) of Section 14464.5, it is the responsibility of the Department of Health Services to implement this section in a manner that complies with federal requirements. The earliest the department can commence collection of the fee, pursuant to subdivision (k), is January 1, 2004. However, the fee will not be assessed or collected if the department does not comply with various federal requirements for federal matching funds.

While it appears unlikely that the Department will be granted federal approval from the Centers for Medicare and Medicaid Services (CMS) for this purpose, the language of the bill states that the Department can begin collecting the quality improvement fee on January 1, 2004.

Therefore, it is the intent of the budget committee that no fees be collected by the Department until CMS approves federal participation in the quality improvement fee or requires the state to collect the fee.

Sincerely,

JENNY OROPEZA
Chair, Assembly Budget Committee

Legislative Intent—Senate Bill No. 1049

September 11, 2003

The Honorable Herb J. Wesson, Jr.
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: I request that the following letter be placed in the Assembly Journal.

As currently drafted, SB 1049 establishes new fire protection fees on State Responsibility Area (SRA) land parcels.

There are two technical errors in the current version of the bill.

The first error occurs on page 55, line 5. The line should read as follows:

pursuant to this article. The department ~~may~~ shall authorize individual

The only change being striking “may” and substituting “shall”.

The second error occurs on page 55, line 22 and incorrectly identifies “County Treasurers” as being responsible for processing the State Responsibility Area fire fees. I have been informed that the county auditors are the appropriate designees for this program.

It is the intent of the Senate to authorize the county auditors to process the SRA fire fees.

Sincerely,

JENNY OROPEZA
Chair, Assembly Budget Committee

September 11, 2003

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: As the Chair of the Assembly Budget Committee, I want to inform you of the Committee’s continuing efforts to provide all available budget options to you and the State Assembly as we work to preserve the state’s fiscal security. As it is certain that additional budget cuts will impact health services, environmental protections, local governments and public safety issues, I commit to you that the Budget Committee will be evaluating all options for spending reductions, revenues, and fees.

Through special session legislation, the recently enacted 2003 Budget Act (Chapter 157, Statutes of 2003) as well as its corresponding trailer bills, new fees have been imposed and others increased. Specifically in the areas of natural resources and environmental protection, these fees have provided support for various departments who have been faced with significant General Fund cuts. Given these cuts, as well as the breadth of individuals and businesses assessed these fees, I am committed to ensuring that any new fees be spread fairly, based both on costs of delivering state’s services and the actual impacts on the environment, public health, and safety.

While many options for increased revenue from fees were evaluated during this first year of the 2003–04 session, many others remain on the table and deserve a full vetting by the Legislature prior to the final

approval of the 2004 Budget Act. Therefore, I will be working with the Chair of the Assembly Budget Subcommittee to ensure that, as part of its duties, the subcommittee will be reviewing California's environmental fee structure. This review will include an emphasis on hazardous waste fees and other similar fees that have not been reviewed in recent years.

The Legislature needs to insure that adequate funding is available for the effective regulation of the environmental and public health threats in a manner that has been well planned, thoroughly evaluated, and properly implemented.

Respectfully,

JENNY OROPEZA

Chair, Assembly Budget Committee

Legislative Intent—Assembly Bill No. 231

September 11, 2003

E. Dotson Wilson

Chief Clerk of the Assembly

State Capitol, Room 3196

Sacramento, California

Dear Dotson: This letter serves to clarify legislative intent regarding Section 5 of my AB 231, a bill to reduce hunger in California by removing barriers to participation in the federal food stamp program. One of the barriers that has been identified is a face-to-face "in office" interview, as many working people find it difficult to leave their jobs or find transportation to be interviewed at the welfare office.

It is the intent of the Legislature to increase utilization of current law hardship exemptions from the face-to-face interview, when appropriate, without creating an undue burden on administrators of the Food Stamp Program. To that end, I have been working with advocates, the County Welfare Directors Association, and the state Department of Social Services to develop a process. I would like to clearly state for the record our intention on how this process, created in Section 5 of the bill (Welfare and Institutions Code §18901.10), would work.

Our intention is to require counties to cursorily consider an applicant/recipient's need for a face-to-face interview exemption during the intake process. Our expectation is that the county and the applicant will be able to move toward agreement on an interview location or interview alternative. Only if a satisfactory accommodation between the county and applicant/recipient cannot be worked out, would the county evaluate whether the household qualifies for an exemption. We believe this cursory consideration, followed by an evaluation only where an agreement has not been achieved, is the least burdensome process that would still lead to a reduction of the use in office interviews.

I respectfully request that this letter be printed in the Assembly Daily Journal.

Sincerely,

DARRELL STEINBERG, Assembly Member
Ninth District

Legislative Intent—Assembly Bill No. 85

September 10, 2003

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol Building
Sacramento, California*

Dear Mr. Speaker: I respectfully request to publish this letter of legislative intent in the Assembly Daily Journal relative to my AB 85.

Under current law, counties that operate a retirement system pursuant to the County Employees' Retirement Law of 1937 (a.k.a. '37 Act) are allowed to exclude temporary, seasonal, intermittent, or part time service as continual service in the retirement system. For those counties that have not acted to exclude such service, AB 85 specified that temporary, seasonal, intermittent, or part time service does count as continual service in the retirement system.

For the purposes of the provisions contained in AB 85, it is my intent that these provisions not be construed to require a '37 Act retirement system to take any action that would otherwise violate federal law pursuant to the Employee Retirement Income Security Act of 1974 (29 U.S.C. Sec. 1001 et seq.), relating to the prohibition on in-service distributions of retirement contributions.

Sincerely,

PATRICIA WIGGINS, Assembly Member
Seventh District

Legislative Intent—Senate Bill No. 103

September 10, 2003

*Speaker Herb Wesson
California State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: My Senate Bill 103 reads, in part: "It is the intent of the Legislature that no inference be drawn in connection with any matter governed by Section 24871 of the Revenue and Taxation Code, from the period to which the amendments made to that section by this act apply, for any taxable year beginning before January 1, 2003."

This letter serves to clarify that it is also the intent of the Legislature that no inference be drawn with respect to prior law because SB 103 was passed by a simple majority vote.

Sincerely,

SENATOR DEDE ALPERT
Thirty-ninth District

**Legislative Intent—
Senate Bill No. 614 and Assembly Bill No. 1601**

September 11, 2003

*Senate President Pro Tempore John Burton
Assembly Speaker Herb Wesson
State Capitol
Sacramento, California*

Dear Mr. President and Mr. Speaker: We write to clarify our pending legislation, SB 614 and AB 1601, related to abusive tax shelters. We have made substantial concessions in these measures to address criticisms by interested parties. We have agreed to clarify certain points in this letter.

The bills have been amended to limit the applicability of the penalty for “noneconomic substance” transactions. It is our intent that the Franchise Tax Board rely upon the common law economic substance doctrine and that the penalty language contained in this section shall not be adopted by a court as a substantive definition other than for purposes of the penalty.

Amendments were also made to the tax shelter reporting requirements. It is our intent that the authority granted to the Franchise Tax Board by AB 1601 and SB 614 to identify and publish for California income or franchise tax purposes “listed transactions” (as defined under subdivision (a) of Section 18407 of the Revenue and Taxation Code) does not apply to transactions occurring prior to September 2, 2003. It is also our intent that the new reporting requirements apply to any transaction entered into on or after February 28, 2000, that becomes a “listed transaction” for federal income tax purposes at any time (as defined under subdivision (a) of Section 6011 of the Internal Revenue Code).

Finally, the bills have been amended to make all penalties affected by the bills apply to abusive tax shelter transactions only.

Sincerely,

GILBERT CEDILLO
Senator, 22nd District

DARIO FROMMER
Assembly Member, 43rd District

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Chan requested unanimous consent that the statements of legislative intent relative to Assembly Bill No. 1093 and Assembly Bill No. 1548 be printed in the Journal.

Assembly Member Cogdill withheld unanimous consent.

Motion to Print in Journal

Assembly Member Chan moved that statements of legislative intent relative to Assembly Bills Nos. 1093 and 1548 be printed in the Journal.

Assembly Member Goldberg seconded the motion.

Motion carried by the following vote:

AYES—46

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Horton, Jerome	Montanez	Simitian
Chan	Jackson	Mullin	Steinberg
Chavez	Kehoe	Nakano	Vargas
Chu	Koretz	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Corbett	Leno	Nunez	Yee
Diaz	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	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	Keene	Pacheco	
Daucher	La Malfa	Plescia	

Legislative Intent—Assembly Bill No. 1093

September 12, 2003

*Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

To Members of the Legislature: AB 1093 (Lieber) enacts the California Living Wage Act and defines the qualified state contracts that would be subject to the act. Among the exemptions from the definition of “qualified contract” are contracts with providers enrolled in the Medi-Cal program pursuant to Article 1.3 (commencing with Section 14043) of Chapter 7 of Part 3 of Division 9 of the Welfare and Institutions Code and health facilities that provide services to Medi-Cal patients.

Due to the fact that these providers and health facilities may also serve the Medi-Cal program through their contracts with prepaid health plans that contract with the Department of Health Services to provide

services to Medi-Cal beneficiaries, it is the intent of AB 1093 that a contract with a provider, as described in Section 10480 of the bill [paragraph (2) (G) of subdivision (c)], includes contracts between the Department of Health Services and prepaid health plans.

Sincerely,

SALLY J. LIEBER, Assembly Member,
Twenty-second District

Legislative Intent—Assembly Bill No. 1548

September 12, 2003

*Mr. E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: I respectfully submit this letter to the Assembly Journal to clarify interpretation of an inadvertent error that was added to my AB1548 by the September 3, 2003 amendments.

Specifically two similar, but conflicting, sections were added to AB 1548 dealing with alignment of education materials to State Board of Education statutory requirements. Public Resources Code Section 71304(d) was incorrectly added to AB 1548. The correct section, Public Resources Code Section 71300(g), was also added on September 3, 2003. This section correctly requires that any instructional materials for use in elementary or secondary public schools produced as a result of AB 1548 comply with State Board of Education requirements contained in Chapter 1 (commencing with Section 60000) of Part 33 of the Education Code, including reviews for legal and social compliance. The predicament is that these two sections conflict with each other and gives different direction to the Secretary for Environmental Protection and California Integrated Waste Management Board for implementing this bill.

Next year I plan to introduce legislation to fix this problem by repealing Public Resources Code Section 71304(d). Until this change can be accomplished legislatively, I would ask the Secretary for Environmental Protection and the California Integrated Waste Management Board to implement AB 1548 as directed in Public Resources Code Section 71300(g).

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Explanation of Vote—Senate Bill No. 993

September 12, 2003

*The Honorable Herb J. Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Re: SB 993—Inadvertent Vote

Dear Mr. Speaker: In order to ensure my vote on Senate Bill 993 is recorded correctly, I respectfully request this letter be published in the Assembly Daily Journal.

When SB 993 was considered on the Assembly Floor on August 21, 2003, I inadvertently cast an “aye” vote. I would like to be recorded as “not voting.”

Thank you for your help in correcting this error.

Sincerely,

JOE NATION, Assembly Member
Sixth District

**Motion to Reconsider Senate Bill No. 18
on Next Legislative Day**

Assembly Member Steinberg moved to reconsider on the next legislative day the vote whereby Senate Bill No. 18 was this day refused passage.

Senate Bill No. 18 ordered to the unfinished business file.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 375 (Bermudez)—An act to add Sections 20035.4, 20035.5, 20035.9, 22825.12, and 22825.19 to the Government Code, relating to state 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—67

Aghazarian	Dymally	Longville	Plescia
Bates	Frommer	Lowenthal	Reyes
Berg	Garcia	Maddox	Ridley-Thomas
Bermudez	Goldberg	Maldonado	Runner
Bogh	Hancock	Matthews	Salinas
Calderon	Horton, Jerome	McCarthy	Samuelian
Canciamilla	Houston	Montanez	Simitian
Chan	Jackson	Mullin	Spitzer
Chavez	Keene	Nakanishi	Steinberg
Chu	Kehoe	Nakano	Strickland
Cohn	Koretz	Nation	Vargas
Corbett	La Malfa	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wolk
Cox	Leno	Oropeza	Wyland
Diaz	Levine	Pacheco	Yee
Dutra	Lieber	Parra	Mr. Speaker
Dutton	Liu	Pavley	

NOES—3

Campbell	Haynes	Mountjoy
----------	--------	----------

Above bill ordered enrolled.

ASSEMBLY BILL NO. 28 (Jackson)—An act to amend Sections 14528.1, 14549, 14549.1, 14549.5, 14549.6, 14552.5, 14552.51, 14560, 14561, 14573.51, 14575, 14575.1, 14581, and 14585 of, to add Sections 14513.5, 14575.2, 14575.5, and 14582 to, and to add and repeal Section 14576 of, the Public Resources Code, relating to public resources, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—69

Aghazarian	Dutton	Longville	Pavley
Bates	Dymally	Lowenthal	Plescia
Benoit	Frommer	Maddox	Reyes
Berg	Garcia	Maldonado	Ridley-Thomas
Bermudez	Goldberg	Matthews	Runner
Calderon	Hancock	Maze	Salinas
Canciamilla	Harman	McCarthy	Samuelian
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Horton, Shirley	Mountjoy	Steinberg
Chu	Houston	Mullin	Vargas
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Koretz	Nation	Wyland
Correa	Laird	Negrete McLeod	Yee
Cox	Leno	Nunez	Mr. Speaker
Daucher	Levine	Oropeza	
Diaz	Lieber	Pacheco	
Dutra	Liu	Parra	

NOES—6

Bogh	Keene	Spitzer
Haynes	La Malfa	Strickland

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT AND ASSEMBLY RULE 77 SUSPENDED

Assembly Member Diaz was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 977, without reference to file.

ASSEMBLY BILL NO. 977 (Diaz)—An act to add Sections 20035.10 and 22825.10 to the Government Code, relating to state 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	Frommer	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maddox	Ridley-Thomas
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Jackson	Montanez	Simitian
Chavez	Kehoe	Mullin	Steinberg
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Diaz	Levine	Nunez	Yee
Dutra	Lieber	Oropeza	Mr. Speaker
Dymally	Liu	Parra	

NOES—26

Aghazarian	Dutton	La Malfa	Runner
Bates	Garcia	Maze	Samuelian
Bogh	Harman	McCarthy	Spitzer
Campbell	Haynes	Nakanishi	Strickland
Cogdill	Horton, Shirley	Pacheco	Wyland
Cox	Houston	Plescia	
Daucher	Keene	Richman	

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT AND ASSEMBLY RULE 77 SUSPENDED

Assembly Member Diaz was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1130, without reference to file.

ASSEMBLY BILL NO. 1130 (Diaz)—An act to amend Section 12699.62 of, and to add Section 12699.525 to, the Insurance Code, relating to health care coverage, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mullin	Steinberg
Cogdill	Keene	Nakanishi	Strickland
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Cox	La Suer	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—2

Campbell Haynes

Vote Changes

By unanimous consent, the following vote change was permitted on Concurrence in Senate amendments to Assembly Bill No. 1130: Assembly Member Wyland, from “No” to “Aye”.

Above bill ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT AND ASSEMBLY RULE 77 SUSPENDED

Assembly Member Simitian was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 1302, without reference to file.

ASSEMBLY BILL NO. 1302 (Simitian)—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Simitian moved a call of the Assembly.

Motion carried. Time, 2:50 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

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.)

Point of Order

Assembly Member Jackson arose to the following point of order:

Assembly Member Pacheco is not confining debate to the merits of the bill.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order well-taken.

Demand for Previous Question

Assembly Members Levine, Canciamilla, Vargas, Nakano, and Laird demanded the previous question. Demand sustained. The question being on concurrence in Senate amendments.

Amendments refused concurrence by the following vote:

AYES—51

Aghazarian	Dymally	Lieber	Parra
Berg	Frommer	Liu	Pavley
Bermudez	Garcia	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Canciamilla	Horton, Jerome	Maldonado	Salinas
Chan	Horton, Shirley	Matthews	Simitian
Chavez	Houston	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	

NOES—None

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONFERENCE COMMITTEE REPORT ON
SENATE BILL NO. 2**

At 3:16 a.m., on motion of Assembly Member Plescia, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Conference Committee Report on Senate Bill No. 2 adopted by the following vote:

AYES—46

Berg	Dymally	Liu	Pavley
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Matthews	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Jackson	Mullin	Vargas
Chu	Kehoe	Nakano	Wiggins
Cohn	Koretz	Nation	Wolk
Corbett	Laird	Negrete McLeod	Yee
Correa	Leno	Nunez	Mr. Speaker
Diaz	Levine	Oropeza	
Dutra	Lieber	Parra	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Vote Changes

By unanimous consent, the following vote change was permitted on the Conference Committee Report on Senate Bill No. 2: Assembly Member Mountjoy, from "Aye" to "No".

**CALL OF THE ASSEMBLY DISPENSED WITH
ON URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 1302**

At 3:17 a.m., on motion of Assembly Member Simitian, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1302 adopted by the following vote:

AYES—73

Aghazarian	Dutton	Liu	Reyes
Bates	Dymally	Longville	Richman
Benoit	Frommer	Lowenthal	Ridley-Thomas
Berg	Garcia	Maddox	Runner
Bermudez	Goldberg	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	McCarthy	Simitian
Campbell	Haynes	Montanez	Spitzer
Canciamilla	Horton, Jerome	Mountjoy	Steinberg
Chan	Horton, Shirley	Mullin	Strickland
Chavez	Jackson	Nakanishi	Vargas
Chu	Keene	Nakano	Wiggins
Cogdill	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Wyland
Corbett	La Malfa	Nunez	Yee
Correa	Laird	Oropeza	Mr. Speaker
Cox	Leno	Parra	
Diaz	Levine	Pavley	
Dutra	Lieber	Plescia	

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—73

Aghazarian	Dutton	Liu	Reyes
Bates	Dymally	Longville	Richman
Benoit	Frommer	Lowenthal	Ridley-Thomas
Berg	Garcia	Maddox	Runner
Bermudez	Goldberg	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	McCarthy	Simitian
Campbell	Haynes	Montanez	Spitzer
Canciamilla	Horton, Jerome	Mountjoy	Steinberg
Chan	Horton, Shirley	Mullin	Strickland
Chavez	Jackson	Nakanishi	Vargas
Chu	Keene	Nakano	Wiggins
Cogdill	Kehoe	Nation	Wolk
Cohn	Koretz	Negrete McLeod	Wyland
Corbett	La Malfa	Nunez	Yee
Correa	Laird	Oropeza	Mr. Speaker
Cox	Leno	Parra	
Diaz	Levine	Pavley	
Dutra	Lieber	Plescia	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
CONSIDERATION OF GOVERNOR'S VETO
ASSEMBLY BILL NO. 697**

At 3:18 a.m., on motion of Assembly Member Maldonado, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Governor's veto of Assembly Bill No. 697 sustained by the following vote:

AYES—31

Aghazarian	Garcia	Leslie	Plescia
Bates	Harman	Maddox	Richman
Benoit	Haynes	Maldonado	Runner
Bogh	Horton, Shirley	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

NOES—36

Bermudez	Goldberg	Liu	Parra
Calderon	Hancock	Longville	Reyes
Chan	Jackson	Matthews	Salinas
Chavez	Kehoe	Mullin	Simitian
Chu	Koretz	Nakano	Vargas
Cohn	Laird	Nation	Wiggins
Corbett	Leno	Negrete McLeod	Wolk
Dutra	Levine	Nunez	Yee
Frommer	Lieber	Oropeza	Mr. Speaker

**CALL OF THE ASSEMBLY DISPENSED WITH
ON CONCURRENCE IN SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 487**

At 3:18 a.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 487 by the following vote:

AYES—42

Berg	Frommer	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Salinas
Calderon	Horton, Jerome	Matthews	Simitian
Canciamilla	Jackson	Montanez	Steinberg
Chan	Kehoe	Mullin	Vargas
Chavez	Koretz	Nakano	Wiggins
Chu	Laird	Nation	Wolk
Cohn	Leno	Negrete McLeod	Yee
Diaz	Levine	Nunez	Mr. Speaker
Dutra	Lieber	Oropeza	
Dymally	Liu	Pavley	

NOES—33

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
Correa	Keene	Pacheco	
Cox	La Malfa	Parra	
Daucher	La Suer	Plescia	

Above bill ordered enrolled.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1209

Assembly Member Nakano was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1209; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on September 8, 2003 (Assembly Journal, page 3590); and whereby on September 2, 2003 (Assembly Journal, page 3294), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

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. 903 (Steinberg)—An act to amend Sections 896, 911, 912, 916, 936, 938, 941, and 945.5 of, and to amend, renumber, and add Section 942 to, the Civil Code, relating to construction defects.

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. 1008 (Dutton)—An act to add Section 17072.14 to the Education Code, relating to public schools.

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. 1131 (Jackson)—An act to amend Section 368 of the Penal Code, relating to crime.

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.)*

Special Consent Calendar Roll Call

The roll was called, and the above bills on the Special Consent Calendar passed, by the following vote:

AYES—78

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Levine	Parra	

NOES—None

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 Johnny Cash.

(Assembly Rule 45.5 suspended.)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1313 ON NEXT LEGISLATIVE DAY

Assembly Member Parra moved to reconsider on the next legislative day the vote whereby Senate amendments to Assembly Bill No. 1313 were refused concurrence.

Assembly Bill No. 1313 ordered to the unfinished business file.

ADJOURN IN MEMORY

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clarence Meddars, of Bakersfield.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marita Mae Krall, of Victorville.

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. 227, Conference Report: Jerome Horton and Nunez—Aye; Dutton, Mountjoy, Strickland, and Wyland—No.

Chan Motion to Waive Joint Rule 62(a): Nation and Yee—Aye; Leslie, Maddox, and Strickland—No.

Chan Motion to Waive Joint Rule 62(a): Correa—Aye; Maddox and Strickland—No.

Senate Bill No. 228, Conference Report: Correa—Aye; Wyland—No.

Assembly Bill No. 149, Conference Report: Correa, Keene, Plescia, and Wyland—Aye.

Assembly Bill No. 1099, Conference Report: Correa, Keene, Plescia, and Wyland—Aye.

Assembly Bill No. 1262, Conference Report: Correa, Garcia, and Keene—Aye; Shirley Horton and Wyland—No.

Assembly Bill No. 944, Chan Motion to Suspend Joint Rule 62(a): Chavez, Correa, Diaz, and Koretz—Aye; Haynes—No.

Assembly Bill No. 278, Chan Motion to Suspend Joint Rule 62(a): Correa, Diaz, and Koretz—Aye; Garcia and Haynes—No.

Senate Bill No. 411: Haynes and Samuelian—Aye.

Senate Bill No. 906, Leno Motion to Reconsider: Correa, Ridley-Thomas, Simitian, and Wiggins—Aye; Bogh—No.

Senate Bill No. 906: Shirley Horton and Mountjoy—No.

Steinberg Motion to Waive Joint Rule 62(a): Berg, Salinas, and Simitian—Aye; Maddox, Mountjoy, and Strickland—No.

Senate Bill No. 18, Steinberg Motion to Reconsider: Berg, Canciamilla, Simitian, and Strickland—Aye; Bates, Shirley Horton, Leslie, and Mountjoy—No.

Senate Bill No. 274: Bates, Canciamilla, Daucher, Dutton, Frommer, Shirley Horton, Houston, Keene, Leslie, Nakano, Pacheco, Plescia, Runner, Salinas, Samuelian, Simitian, Spitzer, Strickland, and Wyland—Aye; Campbell, Haynes, and Mountjoy—No.

Senate Bill No. 364: Bates, Campbell, Correa, Frommer, Shirley Horton, Keene, Leslie, Nakano, Runner, Salinas, Simitian, and Strickland—Aye.

Senate Bill No. 33: Bates, Haynes, Shirley Horton, Nakano, and Simitian—Aye.

Senate Bill No. 1080: Bates, Calderon, Chavez, Correa, Frommer, Jerome Horton, Shirley Horton, Jackson, Koretz, Nakano, Salinas, and Simitian—Aye.

Assembly Bill No. 1599, Concurrence: Aghazarian, Frommer, Nakano, Nunez, Salinas, Simitian, and Spitzer—Aye.

Assembly Bill No. 300, Concurrence: Aghazarian, Harman, Jerome Horton, Nakano, Plescia, Simitian, Spitzer, Wyland, and Yee—Aye.

Assembly Bill No. 747, Concurrence: Nakano and Simitian—Aye.

Assembly Bill No. 933, Concurrence: Cohn, Diaz, and Simitian—Aye.

Assembly Bill No. 715, Concurrence: Aghazarian, Bates, Daucher, Diaz, Harman, Shirley Horton, Simitian, Spitzer, and Wyland—Aye; Campbell, Maze, Plescia, and Runner—No.

Assembly Bill No. 763, Concurrence: Frommer, Maddox, Mountjoy, Parra, Plescia, Simitian, and Spitzer—Aye.

Assembly Bill No. 1521, Concurrence: Chan, Goldberg, Houston, and Simitian—Aye; Aghazarian, Haynes, Keene, McCarthy, Plescia, Runner, Spitzer, and Wyland—No.

Assembly Bill No. 1027, Concurrence: Maldonado and Nunez—Aye; Bates, Cox, Daucher, Dutton, Garcia, Harman, Shirley Horton, Houston, La Malfa, Maze, Mountjoy, Pacheco, Plescia, Spitzer, and Strickland—No.

Assembly Bill No. 161, Concurrence: Canciamilla—Aye; Spitzer—No.

Senate Bill No. 256: Ridley-Thomas, Simitian, and Wiggins—Aye.

Senate Bill No. 621: Bermudez, Chu, Keene, and Mountjoy—Aye.

Chan Motion to Waive Joint Rule 62(a) Correa and Simitian—Aye; Garcia, Harman, Haynes, and Houston—No.

Assembly Bill No. 1528, Conference Report: Harman, Levine, Nakanishi, Parra, Reyes, and Simitian—Aye; Haynes—No.

Senate Bill No. 1007, Conference Report: Canciamilla, Houston, Nakanishi, and Simitian—Aye.

Senate Bill No. 122: Jackson and Reyes—Aye; Dutra, Liu, Mountjoy, and Wolk—No.

Assembly Bill No. 944, Concurrence: Spitzer—No.

Assembly Bill No. 1557, Concurrence: Garcia, Jerome Horton, Keene, Maldonado, Mountjoy, and Reyes—Aye.

Assembly Bill No. 1666, Concurrence: Mountjoy and Reyes—Aye; Koretz—No.

Assembly Bill No. 278, Concurrence: Bates, Chavez, Daucher, Mountjoy, Reyes, Samuelian, and Vargas—Aye.

Senate Bill No. 1064: Bates, Corbett, Correa, Haynes, Kehoe, Maddox, Maldonado, Mountjoy, Nakanishi, Reyes, Samuelian, Steinberg, and Wolk—Aye.

Assembly Bill No. 1370, Concurrence: Bates, Bogh, Correa, Daucher, Dutton, Harman, Haynes, La Suer, Maldonado, Maze, Plescia, Reyes, Simitian, Spitzer, and Wyland—Aye.

Assembly Bill No. 1370, Harman Motion: Correa, Haynes, and Reyes—Aye; Canciamilla—No.

Senate Bill No. 623: Garcia—Aye; Correa, Daucher, Dutton, Haynes, Maldonado, and Mountjoy—No.

Senate Bill No. 53: Correa, Reyes, and Samuelian—Aye; Aghazarian, Bates, Campbell, Garcia, Harman, Haynes, Houston, Keene, La Malfa, Lowenthal, Maze, McCarthy, Nakanishi, Pacheco, Plescia, Runner, Strickland, and Wyland—No.

Senate Bill No. 103: Correa—Aye; Aghazarian, Bates, Bogh, Campbell, Canciamilla, Daucher, Dutton, Garcia, Harman, Haynes, Houston, Keene, La Malfa, Maddox, Maldonado, Maze, McCarthy, Nakanishi, Pacheco, Plescia, Runner, Samuelian, Spitzer, Strickland, and Wyland—No.

Assembly Bill No. 1680, Concurrence: Yee—Aye.

Senate Bill No. 407: Maze—Aye; Garcia and Pacheco—No.

Assembly Bill No. 17, Concurrence: Simitian—Aye; Correa, Nakanishi, and Parra—No.

Assembly Bill No. 185, Concurrence: Canciamilla—Aye; McCarthy, Mountjoy, and Runner—No.

Senate Bill No. 552, Conference Report: Diaz, Frommer, and Salinas—Aye; Mountjoy—No.

Senate Bill No. 428: Canciamilla, Chu, Levine, Montanez, Plescia, and Wyland—Aye; Mountjoy—No.

Assembly Bill No. 523, Concurrence: Canciamilla, Haynes, Levine, Mountjoy, and Reyes—Aye.

Assembly Bill No. 256, Concurrence: Correa—Aye; Canciamilla, Keene, and Wyland—No.

Assembly Bill No. 253, Concurrence: Corbett and Yee—Aye; Bates—No.

Assembly Bill No. 953, Concurrence: Canciamilla, Leno, and Wesson—Aye; Goldberg—No.

Senate Bill No. 902: Aghazarian, Bogh, Canciamilla, Correa, Dutton, La Malfa, Maldonado, Plescia, and Strickland—Aye.

Assembly Bill No. 855, Concurrence: Canciamilla, Garcia, and Goldberg—Aye.

Assembly Bill No. 296, Concurrence: Garcia and Goldberg—Aye; Canciamilla, Correa, and Maddox—No.

Assembly Bill No. 457, Concurrence: Aghazarian, Bates, Correa, Garcia, and Goldberg—Aye.

Assembly Bill No. 719, Concurrence: Correa, Dutton, Goldberg, La Malfa, McCarthy, Plescia, and Runner—Aye; Campbell—No.

Chan Motion to Print in Journal: Canciamilla and Goldberg—Aye.

Assembly Bill No. 375, Concurrence: Bogh, Canciamilla, Correa, Dutton, Goldberg, Keene, La Malfa, McCarthy, Nakanishi, Runner, and Samuelian—Aye.

Assembly Bill No. 28, Concurrence: Calderon, Maldonado, McCarthy, and Runner—Aye.

Assembly Bill No. 1313, Concurrence: Aghazarian and Houston—Aye.

Senate Bill No. 2, Conference Report: Jerome Horton—Aye.

Assembly Bill No. 1302, Urgency and Concurrence: Benoit, Bogh, Campbell, Cox, Dutton, La Malfa, McCarthy, Plescia, Samuelian, Strickland, and Wyland—Aye.

Assembly Bill No. 487, Concurrence: Correa and Houston—No.

MOTION TO ADJOURN

At 3:46 a.m., Assembly Member Mountjoy moved that the Assembly do now adjourn.

Assembly Member Calderon seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:46 a.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

MESSAGES FROM THE SENATE

Senate Chamber, September 12, 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. 20	Senate Bill No. 686
Senate Bill No. 25	Senate Bill No. 796
Senate Bill No. 27	Senate Bill No. 808
Senate Bill No. 41	Senate Bill No. 933
Senate Bill No. 269	Senate Bill No. 1004
Senate Bill No. 460	Senate Bill No. 1009
Senate Bill No. 570	Senate Bill No. 1058
Senate Bill No. 590	Senate Bill No. 1074
Senate Bill No. 602	Senate Concurrent Resolution No. 7
Senate Bill No. 666	

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 12, 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. 33	Senate Bill No. 411
Senate Bill No. 256	Senate Bill No. 439
Senate Bill No. 328	Senate Bill No. 621
Senate Bill No. 364	Senate Bill No. 1080

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 13, 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. 103	Senate Bill No. 428
Senate Bill No. 274	Senate Bill No. 1064

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, September 12, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 968

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

ADJOURNMENT

At 3:46 a.m., pursuant to the motion by Assembly Member Mountjoy, and pursuant to the provisions of Joint Rule 51, the Assembly adjourned for the 2003 Interim Study Recess, until 12 Noon, Monday, January 5, 2004, out of respect to the memory of Jule Boldizar, on motion of Assembly Member Longville; out of respect to the memory of Clarence Meddars, on motion of Assembly Member McCarthy; out of respect to the memory of Marita Mae Krall, on motion of Assembly Member Runner; and out of respect to the memory of Johnny Cash, on motion of Assembly Member Longville.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 12, 2003**

The following measures were amended in the Assembly on this day:

SB	RN
18	0320357
256	0320221
348	0320365
407	0320306
543	0319993
621	0320083
621	0320366
623	0320230
623	0320377
1056	0320402
1064	0320374

Daily Total:	11
Cumulative Total:	2930

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON SEPTEMBER 13, 2003**

The following measures were amended in the Assembly on this day:

SB	RN
428	0320241

Daily Total:	1
Cumulative Total:	2931

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 9

INTERIM RECESS

Assembly Chamber, Sacramento
Monday, September 22, 2003

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2003–04 Regular Session was printed while the Assembly was in Interim Recess:

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 22, 2003

Mr. Dotson Wilson
Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Pursuant to Assembly Rules 2 and 26 (a), I am convening an Assembly Floor Session on Monday, September 29 at 11 a.m. The purpose of this session is to reconsider the vote, and to consider for passage, AB 1313 (Parra) relative to “Megan’s Law.” AB 1313 (Parra) was approved by the Senate by a vote of 37–0 and is pending for concurrence on the Assembly floor.

It is of paramount importance to act at this time to avoid the expiration of Megan’s Law, and to avoid the loss of federal funds due to non-compliance with the federal Campus Sex Crimes Prevention Act.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 13, 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 David Cogdill, Rebecca Cohn and Nicole Parra to fill the vacancies on the Joint Committee on Fairs Allocation and Classification.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 15, 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 Assemblymember Ron Calderon to the Select Committee on California Indian Nations.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 15, 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 Assemblymember Gloria Negrete McLeod to the Select Committee on Community Colleges.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 17, 2003

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Adult Education:

Assemblymember Lynn Daucher, Vice Chair
Assemblymember Ed Chavez
Assemblymember Jackie Goldberg
Assemblymember Loni Hancock
Assemblymember Patricia Wiggins
Assemblymember Mark Wyland

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 17, 2003

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

RE: Rescinding the appointment of Irene Hirano
to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have rescinded the appointment of Ms. Irene Hirano to the California Cultural and Historical Endowment effective September 8, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 17, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Georgette Imura
to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Ms. Georgette Imura to the California Cultural and Historical Endowment. This is a pleasure appointment starting September 17, 2003. Ms. Imura will be replacing Ms. Irene Hirano.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 18, 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 Assemblymember Sally Lieber to serve as Co-Chair of the Joint Committee To Develop a Master Plan to End Poverty in California.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

September 18, 2003

*E. Dotson Wilson**Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on California's Foreign Trade Offices for the 2003-04 Regular Session. I have appointed Assemblymember Leland Yee as the Chair and have appointed the following members to the Committee:

Assemblymember Rudy Bermudez
Assemblymember Wilma Chan
Assemblymember David Cogdill
Assemblymember Lou Correa
Assemblymember Lynn Daucher
Assemblymember Mervyn Dymally
Assemblymember Marco Firebaugh
Assemblymember Hannah-Beth Jackson
Assemblymember Doug La Malfa
Assemblymember Tim Leslie
Assemblymember Alan Lowenthal
Assemblymember Ken Maddox
Assemblymember Cindy Montanez
Assemblymember Alan Nakanishi
Assemblymember Jenny Oropeza
Assemblymember Fabian Nunez
Assemblymember Mark Ridley-Thomas
Assemblymember Tony Strickland
Assemblymember Juan Vargas

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk:

Pursuant to Judge Cadei's judgment of August 25, 2003, and in accordance with the provisions of Elections Code sections 9050–9051, 9092 13280–13281, 13247, and Government Code sections 88002–88003, enclosed is a REVISED Ballot Title and Summary for the following measure:

Proposition 54
Classification by Race, Ethnicity, Color, or National Origin.
Initiative Constitutional Amendment

Referred by the Speaker to the Committees on Judiciary and Elections, Redistricting and Constitutional Amendments.

REPORTS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-108.1
August 27, 2003

The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the rising cost of medical services in California's workers' compensation system.

This report concludes that rising costs of medical services and products are contributing to the increasing costs of the workers' compensation system—costs that California's employers are required to pay. These medical costs are rising, in part, because the State has not taken the necessary steps to ensure that the cost of treating injured workers is within reasonable limits. A lack of action to address these and other issues by the Department of Industrial Relations' Workers' Compensation Division (division), budget reductions, and restrictions placed on the system by past legislation, have contributed to the inadequate controls over medical costs. Despite mandates to update existing fee schedules for medical services and products, and statutory authority to develop fees for services not covered under existing schedules, the division has not maintained or fully developed the medical payment system. The medical payment system also lacks a process for using consistent medical treatment guidelines to determine necessary medical treatment and resolve disputes between insurers or claims administrators and medical professionals—a key feature in controlling costs and discouraging the under- or overutilization of medical services.

Proposed improvements for controlling costs of the medical payment system entail the use of fee schedules developed by other entities, such as Medicare. To satisfy the needs of California's workers' compensation system, these fee schedules may need to be modified and there is no universal standard for what adjustments may be needed. As a result, policymakers will need to determine the suitability of any adjustments to those fees while considering the effects those decisions may have on

injured workers' access to quality care. However, the division does not currently have a data collection system that will produce the information necessary to monitor medical costs, the effect of system reforms, and the accessibility of care for injured workers.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Insurance.

California State Auditor

2003-008
September 3, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
Of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: The Bureau of State Audits presents its audit report of the State Treasurer's Office statement of securities accountability as of December 31, 2002.

The statement of securities accountability presents the securities owned by or pledged to the State directly, or under investment agreements, and those securities held for safekeeping. The State Treasurer's Office is responsible for the safekeeping of all securities held in the treasury or other depositories. It is not responsible for securities owned by or pledged to the University of California, or for securities in other depositories owned by or pledged to the Public Employees' Retirement System, the State Teachers' Retirement System, the Legislators' Retirement System, or the Judges' Retirement System. For the statement of securities accountability, the State Treasurer's Office assigned dollar amounts to each security for ease of accountability rather than for purposes of valuing securities at cost or market. The dollar amounts assigned represent the par or face value, the original face value, the original principal value, the current outstanding principal balance, or a nominal value of \$1 per certificate or note. Therefore, the dollar amounts presented in the statement of securities accountability should not be used to determine the value of investments of, or pledged to, the State. We found that the statement presents fairly the securities accountability of the State Treasurer's Office as of December 31, 2002.

We conducted this audit to comply with the California Government Code, Section 13299.1.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Banking and Finance.

California State Auditor

2002-019
September 11, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 195, Statutes of 2001, the Bureau of State Audits presents its audit report concerning Los Angeles County Department of Health Services' (Health Services) financial capacity to render health care services to county residents.

This report concludes that despite implementing some cost-cutting measures and securing additional funding, Health Services still faces significant challenges to addressing its growing budget deficit. At the end of fiscal year 2001-02, Health Services projected a budget deficit of \$709.4 million by fiscal year 2005-06. To alleviate this shortfall, Health Services developed a new strategic plan in June 2002. As a result of an initiative approved by voters in November 2002, and agreements with the State and federal government, Health Services is now pursuing a plan designed to result in annual net savings increasing to \$357.5 million in fiscal year 2005-06. However, even though Health Services has successfully implemented many action items from its new strategic plan, preliminary injunctions and prolonged negotiations threaten the implementation of other proposals. Finally, even if Health Services successfully implements all of its strategic plan proposals, it would still face an estimated budget deficit of \$345.4 million in fiscal year 2006-07. Without stable funding and cost-cutting flexibility, Health Services' future financial viability and capacity to provide health care services to the residents of Los Angeles County will continue to remain in question.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Health.

California State Auditor

Investigative Report I2003-2

September 17, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: Pursuant to the California Whistleblower Protection Act, the Bureau of State Audits presents its investigative report summarizing investigations of improper governmental activity completed from February 2003 through June 2003.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Business and Professions.

ENROSSMENT AN ENROLLMENT REPORTS

Assembly Chamber, September 15, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 24	Assembly Bill No. 642
Assembly Bill No. 76	Assembly Bill No. 643
Assembly Bill No. 115	Assembly Bill No. 739
Assembly Bill No. 195	Assembly Bill No. 833
Assembly Bill No. 248	Assembly Bill No. 841
Assembly Bill No. 299	Assembly Bill No. 845
Assembly Bill No. 394	Assembly Bill No. 1038
Assembly Bill No. 514	Assembly Bill No. 1061
Assembly Bill No. 560	Assembly Bill No. 1144
Assembly Bill No. 635	

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 43	Assembly Bill No. 1303
Assembly Bill No. 290	Assembly Bill No. 1309
Assembly Bill No. 786	Assembly Bill No. 1350
Assembly Bill No. 866	Assembly Bill No. 1371
Assembly Bill No. 1191	Assembly Bill No. 1389
Assembly Bill No. 1216	Assembly Bill No. 1392
Assembly Bill No. 1218	Assembly Bill No. 1525
Assembly Bill No. 1241	Assembly Bill No. 1553
Assembly Bill No. 1248	Assembly Bill No. 1555
Assembly Bill No. 1301	Assembly Bill No. 1716

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 15, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 552
Assembly Bill No. 1570

And reports the same correctly enrolled, and presented to the Governor on the 15th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 14 | Assembly Bill No. 1201 |
| Assembly Bill No. 369 | Assembly Bill No. 1418 |
| Assembly Bill No. 839 | Assembly Bill No. 1545 |
| Assembly Bill No. 938 | Assembly Bill No. 1697 |
| Assembly Bill No. 1031 | Assembly Bill No. 1731 |
| Assembly Bill No. 1090 | |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 16, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 52 | Assembly Bill No. 361 |
| Assembly Bill No. 54 | Assembly Bill No. 446 |
| Assembly Bill No. 106 | Assembly Bill No. 593 |
| Assembly Bill No. 149 | Assembly Bill No. 650 |
| Assembly Bill No. 183 | Assembly Bill No. 847 |
| Assembly Bill No. 184 | Assembly Bill No. 1262 |
| Assembly Bill No. 227 | Assembly Bill No. 1742 |

And reports the same correctly enrolled, and presented to the Governor on the 16th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 199 | Assembly Bill No. 776 |
| Assembly Bill No. 294 | Assembly Bill No. 844 |
| Assembly Bill No. 313 | Assembly Bill No. 898 |
| Assembly Bill No. 352 | Assembly Bill No. 942 |
| Assembly Bill No. 433 | Assembly Bill No. 946 |
| Assembly Bill No. 663 | Assembly Bill No. 954 |
| Assembly Bill No. 676 | Assembly Bill No. 984 |
| Assembly Bill No. 682 | Assembly Bill No. 998 |
| Assembly Bill No. 766 | Assembly Bill No. 1196 |
| Assembly Bill No. 773 | Assembly Bill No. 1594 |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 17, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 47 | Assembly Bill No. 1059 |
| Assembly Bill No. 121 | Assembly Bill No. 1097 |
| Assembly Bill No. 190 | Assembly Bill No. 1099 |
| Assembly Bill No. 197 | Assembly Bill No. 1101 |
| Assembly Bill No. 260 | Assembly Bill No. 1210 |
| Assembly Bill No. 331 | Assembly Bill No. 1245 |
| Assembly Bill No. 375 | Assembly Bill No. 1343 |
| Assembly Bill No. 827 | Assembly Bill No. 1449 |
| Assembly Bill No. 962 | Assembly Bill No. 1528 |
| Assembly Bill No. 999 | Assembly Bill No. 1625 |

And reports the same correctly enrolled, and presented to the Governor on the 17th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 85	Assembly Bill No. 801
Assembly Bill No. 158	Assembly Bill No. 828
Assembly Bill No. 233	Assembly Bill No. 978
Assembly Bill No. 274	Assembly Bill No. 991
Assembly Bill No. 396	Assembly Bill No. 1028
Assembly Bill No. 401	Assembly Bill No. 1049
Assembly Bill No. 436	Assembly Bill No. 1137
Assembly Bill No. 453	Assembly Bill No. 1286
Assembly Bill No. 561	Assembly Bill No. 1541
Assembly Bill No. 568	Assembly Bill No. 1548

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 68	Assembly Bill No. 1244
Assembly Bill No. 177	Assembly Bill No. 1321
Assembly Bill No. 608	Assembly Bill No. 1355
Assembly Bill No. 616	Assembly Bill No. 1598
Assembly Bill No. 977	Assembly Bill No. 1628
Assembly Bill No. 1036	

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1302

And reports the same correctly enrolled, and presented to the Governor on the 18th day of September, 2003, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 577	Assembly Bill No. 1679
Assembly Bill No. 1085	Assembly Bill No. 1775
Assembly Bill No. 1438	Assembly Bill No. 1777
Assembly Bill No. 1634	

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2003, at 11 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 66	Assembly Bill No. 935
Assembly Bill No. 71	Assembly Bill No. 1093
Assembly Bill No. 161	Assembly Bill No. 1219
Assembly Bill No. 264	Assembly Bill No. 1238
Assembly Bill No. 304	Assembly Bill No. 1428
Assembly Bill No. 319	Assembly Bill No. 1458
Assembly Bill No. 512	Assembly Bill No. 1469
Assembly Bill No. 526	Assembly Bill No. 1479
Assembly Bill No. 692	Assembly Bill No. 1512
Assembly Bill No. 906	Assembly Bill No. 1627

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 19, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1649 | Assembly Bill No. 1770 |
| Assembly Bill No. 1666 | Assembly Bill No. 1783 |
| Assembly Bill No. 1669 | |

And reports the same correctly enrolled, and presented to the Governor on the 19th day of September, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 66
- Assembly Concurrent Resolution No. 69
- Assembly Concurrent Resolution No. 106
- Assembly Concurrent Resolution No. 112
- Assembly Concurrent Resolution No. 114
- Assembly Concurrent Resolution No. 117
- Assembly Concurrent Resolution No. 124
- Assembly Concurrent Resolution No. 125
- Assembly Concurrent Resolution No. 127
- Assembly Concurrent Resolution No. 128
- Assembly Concurrent Resolution No. 130
- Assembly Concurrent Resolution No. 132
- Assembly Concurrent Resolution No. 134
- Assembly Concurrent Resolution No. 136
- Assembly Concurrent Resolution No. 137
- Assembly Concurrent Resolution No. 138
- Assembly Joint Resolution No. 7
- Assembly Joint Resolution No. 38
- Assembly Joint Resolution No. 40
- Assembly Joint Resolution No. 46

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of September, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Joint Resolution No. 48
- Assembly Joint Resolution No. 49

And reports the same correctly enrolled, and presented to the Secretary of State on the 22nd day of September, 2003, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 49 | Assembly Bill No. 1290 |
| Assembly Bill No. 94 | Assembly Bill No. 1326 |
| Assembly Bill No. 163 | Assembly Bill No. 1340 |
| Assembly Bill No. 413 | Assembly Bill No. 1506 |
| Assembly Bill No. 626 | Assembly Bill No. 1532 |
| Assembly Bill No. 677 | Assembly Bill No. 1631 |
| Assembly Bill No. 679 | Assembly Bill No. 1668 |
| Assembly Bill No. 899 | Assembly Bill No. 1685 |
| Assembly Bill No. 1051 | Assembly Bill No. 1771 |
| Assembly Bill No. 1133 | |

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of September, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, September 22, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 763

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of September, 2003, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

The following messages from the Governor were received and ordered printed in the Journal:

Governor's Message—Assembly Bill No. 1220

September 16, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1220, which requires that a Heart Disease and Stroke Prevention Task Force be convened by the Department of Health Services (DHS) using funding exclusively from foundations and private sources. The Task Force would create a Cardiovascular Disease and Stroke Prevention and Treatment State Master Plan which would place California in a more advantageous position to receive additional federal dollars to reduce the morbidity, mortality and economic burden of heart disease and stroke.

I strongly support public-private partnerships and am pleased that the American Heart Association has already pledged \$50,000 for this worthwhile effort. DHS has indicated that this effort is a high priority for its public health efforts and will absorb the associated staff costs with the Task Force within existing resources. I commend the author and sponsors for their hard work on this issue and look forward to working with them on the report.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1241

September 16, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1241, which establishes the Associate Degree Nursing (ADN) Pilot Program which would provide scholarships and loans to ADN students in counties that demonstrate the most need as specified by certain criteria. The pilot program would be funded through the existing Registered Nursing Education Fund which utilized a \$5 assessment on nurse licensing fees.

The Office of Statewide Health Planning and Development has indicated that implementation of this bill can be accomplished within existing resources.

Sincerely,

GRAY DAVIS

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

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; and on October 14, 2003, page 3989.)

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.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1005, 131, 407, and 18 were continued to the next legislative day.

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

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 10

INTERIM STUDY RECESS

Assembly Chamber, Sacramento
Tuesday, October 14, 2003

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2003–04 Regular Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

September 29, 2003

The Honorable Herb Wesson, Jr.
Speaker of the Assembly
State Capitol Building, Room 219
Sacramento, California

RE: Request to waive per diem for Monday, September 29, 2003
Dear Mr. Speaker: Please consider my request to waive per diem for today, Monday, September 29, 2003.

Very truly yours,

DARIO FROMMER, Assembly Member
Forty-third District

September 30, 2003

The Honorable Herb Wesson
Speaker of the Assembly
California State Legislature
State Capitol Building, Room 219
Sacramento, California

Dear Speaker Wesson: I would like to waive my Member’s per-diem for September 29, 2003.

If you have any questions you may contact me or my Chief of Staff Tim Rosales at (916) 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
Seventy-fifth District

October 2, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Angela J. Reddock
to State Board of Barbering and Cosmetology

Dear Mr. Wilson: Please be advised I have appointed Ms. Angela J. Reddock to the State Board of Barbering and Cosmetology. This is a term appointment starting October 2, 2003 and the expiration date is January 1, 2007. Ms. Reddock will be replacing Ms. Tamara Rasberry.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 2, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Holly Mitchell
to Commission on the Status of Women

Dear Mr. Wilson: Please be advised I have appointed Ms. Holly Mitchell to the Commission on the Status of Women. This is a term appointment starting October 2, 2003, and the expiration date is July 1, 2007. Ms. Mitchell will be replacing Ms. Lucie Bava.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 2, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Halford Fairchild
to State Bar Commission on Access to Justice

Dear Mr. Wilson: Please be advised I have appointed Dr. Halford Fairchild to the State Bar Commission on Access to Justice. This is a pleasure term appointment starting October 2, 2003 and the expiration date is October 1, 2005. Dr. Fairchild will be replacing Ms. Angela Oh.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 10, 2003

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Small Business:

- Assemblymember Patricia Bates
- Assemblymember John Benoit
- Assemblymember Judy Chu
- Assemblymember Lou Correa
- Assemblymember Paul Koretz
- Assemblymember Lloyd Levine
- Assemblymember Ken Maddox
- Assemblymember George Nakano

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk from:

Diana M. Bonta, R.N., Dr P.H., Director, Department of Health Services, dated August 11, 2003, relative to a delay in submitting a report relative to Medi-Cal: Local Educational Agency Services (required pursuant to Senate Bill 231, Chapter 655, Statutes of 2001). Referred by the Speaker to the Committee on Health.

Proposed Initiatives

The following communications were presented by the Chief Clerk 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 initiatives, pursuant to Section 9007, Elections Code:

**Limits on Class Size.
Initiative Constitutional Amendment.
SA 2003RF0030**

Referred by the Speaker to the Committee on Education.

**Sexual Orientation, Status, Conduct Or Relationships.
Initiative Constitutional Amendment.
SA 2003RF0032**

Referred by the Speaker to the Committee on Judiciary.

**Children's Hospital Projects. Grant Program. Bond Act.
Initiative Statute.
SA 2003RF0033**

Referred by the Speaker to the Committee on Health.

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 Domestic Partner Law.
SA 2003RF0042

Referred by the Speaker to the Committee on Judiciary.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

99028.2

September 24, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 479, Statutes of 1999, the Bureau of State Audits (bureau) presents its second audit report concerning the procurement of a single, statewide automated child support system by the Department of Child Support Services (department), with the Franchise Tax Board (board) acting as its agent. The statute requires the bureau to monitor the evaluation and selection process for any signs of bias or favoritism toward any bidder.

In December 2002, we reported on the project team's progress toward procuring the main part of the system, referred to as the child support enforcement system, through June 2002. That report discussed the project team's evaluation of the single bid that had a proposed contract price of almost \$1.2 billion received from the IBM Group. During our evaluation of the process the team used to score the proposal, nothing came to our attention to cause us to conclude that the project team deviated from the predefined evaluation criteria.

This report discusses the procurement process through July 14, 2003, the date the State signed a contract with the IBM Group to design, develop, and implement the child support enforcement system. Though federal and state agencies approving the project expressed various concerns about the terms of the contract and the feasibility study developed by the project team, the project team received the required approvals after satisfying these concerns and obtained a contract price totaling \$801 million for the system. During our monitoring of the negotiation sessions, nothing came to our attention that would lead us to believe that the negotiations resulted in significant changes in the contract that might violate the requirements in Chapter 479, Statutes of 1999, or the solicitation document. Our limited review of the contract found that it included the major business need areas that the child

support enforcement system must address and the compensation method agreed to by the parties did not violate the law and was within the parameters of the solicitation document.

Although the project team has now executed the contract for the child support enforcement system, it is still more than a year away from procuring a contractor for the state disbursement unit, a separate system for collecting, disbursing, and recording child support payments.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Human Services.

The following reports were presented by the Chief Clerk:

**Department of General Services Quarterly Report on
Capitol Area East End Complex
(Pursuant to Government Code Section 8169.5)**

Above report referenced in communication from William J. Jefferds, Ed.D., Director, Department of General Services, dated 9/24/03, stating availability of report at DGS website, referred by the Speaker to the Committee on Business and Professions.

**Reducing California's Petroleum Dependence
(Pursuant to Assembly Bill 2076, Chapter 936
Statutes of 2000)**

Above transmitted report, together with letter of transmittal from William J. Keese, Chairman, Energy Commission and Alan C. Lloyd, Ph.D, Chairman, Air Resources Board, California Energy Commission and Air Resources Board, dated August 25, 2003, referred by the Speaker to the Committee on Transportation.

**Pregnant and Parenting Women's
Alternative Sentencing Program Act
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated September 24, 2003, referred by the Speaker to the Committee on Public Safety.

**AB 312 Expenditure Plan I for 2003–04 Fiscal Year
(Pursuant to Assembly Bill 312, Chapter 1020, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated September 22, 2003, referred by the Speaker to the Committee on Education.

**National Family Caregiver Support Program
Final Legislative Status Report: Building a Foundation—
Initial Implementation Results
(Pursuant to Budget Act 2001)**

Above transmitted report, together with letter of transmittal from Lynda Terry, Director, Department of Aging, dated September 23, 2003, referred by the Speaker to the Committee on Budget.

**Citizen's Option for Public Safety (COPS) Grant Program
(Pursuant to Assembly Bill 3229, Chapter 134, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated August 20, 2003, referred by the Speaker to the Committee on Public Safety.

**Ethnic/Race/Gender Business Ownership Report
(Pursuant to Assembly Bill 1084, Chapter 882, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from David L. Dawson, Chief Deputy State Controller, Administration, Office of California State Controller, dated September 9, 2003, referred by the Speaker to the Committee on Business and Professions.

Small Business and DVBE Contracting Activity Report

Above transmitted report, together with letter of transmittal from Shirley Tsagris, Procurement Contracting Officer, Emergency Medical Services Authority, dated September 3, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2003 Annual Report to the Legislature for
the California Medical Assistance Commission**

Above transmitted report, together with letter of transmittal from J. Keith Berger, Executive Director, California Medical Assistance Commission, dated September 18, 2003, referred by the Speaker to the Committee on Health.

**Notification of Data Used in
Advance Apportionment Fiscal Year 2003-2004
(Pursuant to Education Code Section 41339.1)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated August 22, 2003, referred by the Speaker to the Committee on Education.

**Year 2002 Utility Procurement of Goods, Services and Fuel from
Women, Minority, and Disabled Veteran-owned Business Enterprises
(Pursuant to Public Utilities Code Section 8283(e))**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated September 2, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Small Business/Disabled Veterans Business Enterprise (DVBE)
Annual Report 2002-03**

Above transmitted report, together with letter of transmittal from Denise Choye, Administrative Services, Fair Employment and Housing Commission, dated September 2, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Contracting Report:
Disabled Veteran Business Enterprise Participation
Fiscal Year 2002-2003**

Above transmitted report, together with letter of transmittal from Timothy W. Boyer, Interim Executive Director, Board of Equalization, dated September 8, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual 2002–2003 Contracting Report for
Small Business Participation and
Disabled Veteran Business Enterprise Participation**

Above transmitted report, together with letter of transmittal from Anna Schneider, Office Technician, Coastal Conservancy, dated August 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Evaluation of the Centers for
Complex Civil Litigation Pilot Program
(Pursuant to Government Code Section 68617)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council Of California, dated October 2, 2003, referred by the Speaker to the Committee on Judiciary.

**Juvenile Justice in California—2002
(Pursuant to Penal Code 13010 (g) and 13012 (d))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated October 2, 2003, referred by the Speaker to the Committee on Public Safety.

**Medi-Cal Reimbursement for Telepsychiatry
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 4440-101-0001)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated October 1, 2003, referred by the Speaker to the Committee on Budget.

**Small Business and DVBE
Annual Contract Activity Report
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from K. Maurice Johannessen, Secretary, Department of Veterans Affairs, dated September 26, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**California's Caregiver Resource Center System Annual Report
(Pursuant to Welfare and Institutions Code, Section 4365.5)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated October 3, 2003, referred by the Speaker to the Committee on Insurance.

**Effectiveness of Integrated Services for
Homeless Adults with Serious Mental Illness
(Pursuant to Assembly Bill 2034, Chapter 518, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated September 30, 2003, referred by the Speaker to the Committee on Health.

**Bulletin 118 Update 2003, California's Groundwater
(Pursuant to Budget Act of 1999)**

Above transmitted report, together with letter of transmittal from Michael J. Spear, Interim Director, Department of Water Resources, dated October 3, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**California Innocence Protection Program
(Pursuant to Budget Act, Chapter 106, Statutes of 2001
Item 8100-101-001)**

Above transmitted report, together with letter of transmittal from Wayne Strumpfer, Interim Executive Director, Office of Criminal Justice Planning, dated August 13, 2003, referred by the Speaker to the Committee on Budget.

**Quarterly Progress Report for
the Office of Criminal Justice Planning (OCJP) Evaluation Unit
(July, August, September 2003)
(Pursuant to Fiscal Year 1998-99 Supplemental Budget Language
(Item 8100-001-001))**

Above transmitted report, together with letter of transmittal from Shirley Wang, Acting Chief Deputy Director, Office of Criminal Justice Planning, dated September 30, 2003, referred by the Speaker to the Committee on Budget.

**Report to the Legislature of Expenditures as of June 30, 2003,
for Toxic Substances Enforcement Program
(Pursuant to Health and Safety Code Section 25174 (a)(4)(c))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated October 1, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Taxpayer's Bill of Rights—Annual Report to the Legislature
(Pursuant to Revenue and Taxation Code Sections 21006 and 21009(a))**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, referred by the Speaker to the Committee on Revenue and Taxation.

**Small Business/Disabled Veterans
Business Enterprise Report (DVBE) for Fiscal Year 2002-03
(Pursuant to Public Contract Code Section 10115.5 and
Military and Veterans Code 999.7)**

Above transmitted report, together with letter of transmittal from Robert Nishimoto, Deputy Secretary, California Technology, Trade and Commerce Agency, dated August 27, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Dental Board of California's
Enforcement Monitor's Third Report
(Pursuant to Business and Professions Code Section 1601.3)**

Above transmitted report, together with letter of transmittal from Kristy Wiese, Deputy Director, Division of Legislative and Regulatory Review, Department of Consumer Affairs, dated August 26, 2003, referred by the Speaker to the Committee on Business and Professions.

**Special Report to the Legislature on Senate Bill 780.
California Freedom of Access to Clinic and Church Entrances Act and
Reproductive Rights Law Enforcement Act
(Pursuant to Senate Bill 780, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated August 29, 2003, referred by the Speaker to the Committee on Public Safety.

Probation Services Task Force Final Report

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated September 9, 2003, referred by the Speaker to the Committee on Public Safety.

**July, 2003 Report of Lifer Parole Hearings
(Pursuant to Penal Code Section 3041 (d))**

Above transmitted report, together with letter of transmittal from Marvin E. Speed, Executive Officer, Board of Prison Terms, dated August 12, 2003, referred by the Speaker to the Committee on Public Safety.

**Annual Small Business/DVBE Participation Report
(Pursuant to Public Contract Code Section 14840)**

Above transmitted report, together with letter of transmittal from Robert L. Therkelsen, Executive Director, California Energy Commission, dated August 26, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Small Business/Disabled Veterans
Business Enterprise Contract Participation Report for
Fiscal Year 2002-03
(Pursuant to Government Code Section 14835)**

Above transmitted report, together with letter of transmittal from Val F. Siebal, Chief Deputy Director, Office of Environmental Health Hazard Assessment, dated September 5, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Small Business/Disabled Veterans Business Enterprise Report (DVBE)
for Fiscal Year 2002-03
(Pursuant to Government Code Section 14840)**

Above transmitted report, together with letter of transmittal from Ronald J. Lucero, Chief, Business Management Bureau, Department of Insurance, dated August 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

ENGISSMENT AND ENROLLMENT REPORTS

Assembly Chamber, September 30, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1217

And reports the same correctly enrolled, and presented to the Governor on the 30th day of September, 2003, at 12:15 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

The following veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

Veto Messages**Veto Message—Assembly Bill No. 218**

Governor's Office, Sacramento
September 24, 2003

To Members of the California State Assembly:

I am returning Assembly 218 (Simitian) without my signature.

This bill would require the Department of Housing and Community Development to defer to the Department of Finance when there is a dispute between a local government and the Department of Housing and Community Development with the definition of a housing unit. It further requires the Department of Finance to make a written determination in resolving such disputes.

Under current law, the Department of Housing and Community Development has the statutory responsibility to ensure that local housing elements are in compliance with State law and that each local jurisdiction is properly planning for and addressing the State's housing need. In light of current law, I see no added value to include the Department of Finance in the review of local housing elements. Therefore, I am unable to sign this proposed legislation.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 25th day of September 2003 at 2:15 p.m., of Assembly Bill No. 218, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 183

Governor's Office, Sacramento
September 22, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 183 without my signature.

This bill would expand Medi-Cal benefits to include services provided by a licensed marriage and family therapist and a licensed clinical social worker that are within the scope of Medi-Cal covered benefits. Although this expansion would be implemented only to the extent that funds are appropriated for this purpose, this bill would result in pressure to expand Medi-Cal benefits to include services provided by licensed marriage and family therapists and licensed clinical social workers. While there may be some offsetting cost savings by substituting more costly licensed professional care for less costly

licensed professional care, the bill would likely still result in cost pressures of at least hundreds of thousands of dollars and would require the establishment of 4.0 new positions (3.8 personnel years). Due to the significant decline in General Fund revenues, I am vetoing this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 642

Governor's Office, Sacramento
September 22, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 642 without my signature.

This bill would require, commencing in 2005, the Superintendent of Public Instruction (SPI) to conduct a periodic review of the statewide adopted content standards and to hold regional public hearings. This bill would also require the State Board of Education (SBE) to adopt or reject any changes to the content standards that the SPI deems necessary or desirable and to adopt conforming changes, as necessary, to the statewide performance standards.

I vetoed a similar bill last year and continue to believe that the review process is unnecessary and could result in administrative activities that yield no improvement to the academic content standards. The SBE has the authority to adopt changes to the content standards, as they deem necessary.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 22nd day of September 2003 at 3:28 p.m., of Assembly Bills Nos. 183 and 642, without the Governor's signature, together with a statement of his objection thereto, signed by the Governor, delivered to me personally by Casey Elliott.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 43

Governor's Office, Sacramento
October 9, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 43 without my signature.

This bill would rename the Long-Term Care Integration pilot program as the Chronic Care Integration (CCI) Program, and establish CCI as an ongoing program. This bill would also make significant programmatic changes, including expansion of CCI sites and increased administrative activities for the Department of Health Services. This bill specifies that CCI would be implemented only to the extent that funds are appropriated, although it would authorize the Department to suspend 2003–04 Long-Term Care Integration program grant awards and redirect those funds to establish the State staff.

While I am strongly supportive of efforts to improve the coordination, quality, and cost-effectiveness of long-term care services in the State, this bill would expand State government at a time of fiscal uncertainty. Upon full implementation, this bill could result in

administrative expenditures of \$1 million General Fund and the establishment of 20 positions to monitor, coordinate, and develop CCI program sites. Due to the significant reduction in General Fund revenues and the on-going need to reduce State staff, I am vetoing this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 436

Governor's Office, Sacramento
October 9, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 436 without my signature. This bill would allow Santa Clara County to establish a five-year pilot program to allow a county hospital-based utilization review committee to authorize reimbursement for Medi-Cal services. This bill would result in pressure for annual funding of approximately \$402,000 (\$148,000 General Fund) and 4.0 positions within the Department of Health Services for development of regulations and a state plan amendment, as well as ongoing monitoring and oversight activities associated with the Santa Clara County utilization review pilot project. In addition, this bill would likely result in increased Medi-Cal benefit costs as a result of the hospital utilization review committee denying fewer treatment authorization requests than would otherwise have been denied by existing department staff. Due to the significant decline in General Fund revenues, I cannot sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 946

Governor's Office, Sacramento
October 9, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 946 without my signature.

This bill authorizes cities, counties, or cities and counties to develop clean needle and syringe exchange programs. This bill authorizes syringe exchange programs in any city, county, or city and county by the action of: 1) a county board of supervisors and the local health officer or health commission of that county; 2) or the city council, the mayor, and the local health officer of a city with a health department, or the city council and the mayor of a city without a health department. Additionally, it would eliminate the need for counties to periodically authorize the syringe exchange program pursuant to a declaration of local emergency.

I am committed to the underlying goal of the bill which is to reduce the transmission of HIV and hepatitis C (HCV) among injection drug users. However, I have signed legislation that already makes hypodermic needles and syringes available from authorized, legally sanctioned syringe exchange programs located throughout California. I worked hard with the author of that legislation to bring law enforcement and health officials together on a bill that would decriminalize supervised needle exchange programs. This bill undermines the key element that won my support for that legislation, by eliminating the

requirement for a local governing body to make a declaration of a local emergency due to the existence of a critical local public health crisis when establishing and/or maintaining a legal syringe exchange program. While I appreciate the author's hard work and dedication to this issue, I cannot sign this measure.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 10th day of October 2003 at 2:20 p.m., of Assembly Bills Nos. 43, 436, and 946, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 51

Governor's Office, Sacramento

October 10, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 51 without my signature.

This bill requires the land use element of the general plan to identify categories of land use, if any, that provide for certain child care facilities and would take effect upon the next revision of a local jurisdiction's housing element.

As I have emphasized in the past, I fully recognize the importance of child care facilities, which prompted me to sign AB 305 (Mullin) this year. AB 305 addresses the need for child care facilities in a cost neutral manner as it provides developers additional density bonuses, concession, or incentives if a child care facility is included in a developer's housing project.

I vetoed a similar bill last year, AB 2954 (Simitian) because it would have resulted in a reimbursable state mandate. According to the Department of Finance, this bill would result in a reimbursable mandate on local government. While I appreciate the author's effort in diligently addressing this issue, I am unable to sign this legislation in light of California's fiscal condition.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 274

Governor's Office, Sacramento

October 10, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 274 without my signature.

This bill would create a rebuttable presumption that a person's action to discharge, demote suspend, or reduce the hours of an employee is retaliatory if it occurs within 60 days after the employee has exercised any rights enumerated under the Labor Code.

This bill could allow any employee who suspects the possibility of an adverse action to stall that action by fabricating a complaint. It would also make it difficult for a supervisor to legitimately discipline a

problem employee who has exercised any right given under the Labor Code. This bill would create a burden on employers who would constantly have to defend any disciplinary action taken. Lastly, AB 274 has the potential to pre-empt a collective bargaining agreement's grievance procedures, and could interfere with the ability for the parties to negotiate a settlement.

This bill is similar to AB 2990 which I vetoed last session. While this bill attempts to address the concerns of AB 2990, it still conflicts with the presumption of innocence until proven guilty.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 692

Governor's Office, Sacramento
October 10, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 692 without my signature.

I have the greatest respect for the author of this bill and fully support the design build process, as evidenced by my signature on six separate bills that have authorized design build on a limited basis for local governments, schools, state office buildings and transit agencies. I support the author's attempt to involve state employees in the process as well, and believe that we should not preclude their inclusion in design build opportunities in the future.

I also recognize the Legislature's commitment to expediting these particular projects throughout the state. Unfortunately, as drafted, the bidding procedures included in this bill create legal, liability and accountability obstacles that threaten to undermine the benefits being sought through the design-build process.

For these reasons, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1219

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Assembly:

I am returning Assembly Bill 1219 without my signature.

This bill would establish the within the Department of Corrections (CDC) a Correctional Education Board (Board). The Board would be required to adopt and enforce all rules and regulations for the management and operation of educational programs within CDC, including operating procedures and the goals of correctional education.

This measure, which is nearly identical to Senate Bill 1845 which I vetoed in 2000, and Senate Bill 404 which I vetoed in 2001, would result in major General Fund costs, potentially in excess of \$200 million annually according to the Department of Finance, to expand correctional education programs. Additionally, the bill would also require additional funds to be appropriated to correctional education programs even if the overall prison population declines due to the

success of correctional educational programs. Given the State's budget circumstances, I cannot support a bill that increases State spending in situations where declining caseloads should produce General Fund savings.

Additionally, this bill would remove management control of educational programs at the institutional level. The bill also prohibits the redistribution of funds appropriated for correctional education programs for other purposes without the approval of two-thirds of the Board. Effectively, this bill would impair CDC's ability to manage its resources.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1392

Governor's Office, Sacramento
October 10, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1392 without my signature.

Last year's SB 1950, which went into effect January 1 of this year, required the Medical Board to prioritize cases with respect to the greatest potential of patient harm. Although this bill is a well-intentioned attempt to aid the Medical Board in prioritizing the vast number of patient complaints it receives each year, the newly created statutory priorities specified in SB 1950 already ensure the Medical Board cannot pursue less serious offenses until cases involving more serious offenses have been pursued.

Further, the Board would be informing consumers in writing that their complaint is not a priority to the Board and the consumer should try to seek redress elsewhere. This is not good consumer policy for a public agency whose mission is to protect and serve consumers.

For the aforementioned reasons, I am unable to sign AB 1392.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1438

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Assembly:

I am returning Assembly Bill 1438 without my signature.

This bill would allow business entities being investigated for alleged illegal activity to demand from the investigating government agency copies of records seized and to receive those copies or access to the records for copying within five business days.

While there may be some instances where entities under investigation should be allowed copies of seized records, existing law provides for relief. A business may petition the court which issued the search warrant that it would suffer financial harm unless it is provided a copy of the seized records. If the court is satisfied the business would suffer financial harm it has the authority to order that copies of the business records be produced within a reasonable timeframe and turned over to the business. Although the proponents of the bill have given anecdotal examples, no substantive documentation has been provided evidencing

that legitimate businesses are being put out of business because they cannot obtain copies of seized records through the existing court process.

Under AB 1438, not only would law enforcement have to examine the documents seized within a short five-business day duration, but if law enforcement requests additional time or otherwise objects to returning the documents, the District Attorney's Office will have to intervene, become familiarized with the investigation, and file a motion with the court, all within the same short five-business days period. This process would be especially onerous for contraband materials such as pornography, which would require specialized investigators to review the material and highly skilled prosecutors versed in constitutional law to file a motion with the court for delays or denials.

The immediate return of seized documents will almost always "tip off" a target of an investigation, during a time when the investigation is incomplete and the target can still take actions to cover tracks and dissuade witnesses.

While AB 1438 does give prosecutors a qualified judicial remedy where furnishing copies "will pose a significant risk of *ongoing* criminal activity" the burden rests with the prosecution to show that this risk exists rather than with the business to show that it does not. This procedure offers no protection, however, where the crime is already complete but the suspect under investigation remains uncharged.

AB 1438 would create additional costs for state and local governments at a time when governmental entities are required to cut current programs and staffing levels. As statute currently provides a cost-efficient method by which business entities may request copies of seized records through the courts, I find it fiscally unsound at this time to establish a more costly process and place an additional burden on government agencies.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 12th day of October 2003 at 12:20 p.m., of Assembly Bills Nos. 51, 274, 692, 1219, 1392 and 1438 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

LAWRENCE A. MURMAN

Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 94

Governor's Office, Sacramento

October 11, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 94 without my signature.

This bill would allow select local governments to impose a property tax rate in excess of Proposition 13's 1% cap to fund pension obligations for programs that were approved prior to July 1, 1978. I am concerned that this bill would permit local governments to raise property taxes without voter approval. Under Proposition 218, no tax may be imposed by local governments without a vote of the people.

I understand the fiscal pressures local governments are facing in these difficult economic times. However, this measure is not an appropriate remedy because it does not require cities to obtain voter approval of increased property taxes.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 773

Governor's Office, Sacramento
October 11, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 773 without my signature. This bill would change the composition of the Ventura County Transportation Commission (VCTC).

While I appreciate the author's efforts to change the voting membership of the VCTC so that cities and supervisors are more adequately represented, I have reservations about signing such an important measure when it does not have the consensus of those involved and affected. In the spirit of good government and good public policy, AB 773 needs to have further public viewing and a consensus reached before being enacted.

I would therefore encourage the proponents and opponents to work together in the next few months and return in January with a measure that is mutually acceptable to everyone. If a consensus can be reached on how the VCTC should be reconfigured, I would encourage the legislature to pass such legislation.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 12th day of October 2003 at 12:21 p.m., of Assembly Bills Nos. 94 and 773 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 52

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Assembly:

I am returning Assembly Bill 52 without my signature.

This bill, in conjunction with SB 19, would indefinitely uncap the apportionment for local educational agencies to offer supplemental instruction for pupils in grades 2–6 who have been identified as being at risk of retention.

During the last five years, I have provided schools with unprecedented resources directed toward ensuring that schools are provided with the essential elements for bringing students to grade level standards. Specifically, I have provided over \$2 billion for supplemental instruction; more than \$705 million has been provided for standards aligned professional development to provide teachers with the knowledge and skills necessary to teach to the standards; another

\$1.1 billion has been devoted to administrator professional development and additional teacher training to further improve the schools instructional program; almost \$955 million has gone to low performing schools to reform and develop cohesive standards-based programs; over \$1.7 billion has been allocated for instructional materials; and this year I have given school districts 100% flexibility for categorical programs to help meet local needs, including supplemental instruction.

Given the State's fiscal outlook and the significant funding I have provided to help students meet the new standards, it would not be fiscally prudent, at this time to remove the cap. For these reasons, I cannot support this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 331

Governor's Office, Sacramento

October 12, 2003

To the Members of the California Assembly:

I am returning Assembly Bill 331 without my signature. This bill would suspend the one week required waiting period for Unemployment Insurance for employees involved in a lockout or labor dispute.

This measure would place additional pressure on the State's Unemployment Insurance fund, which is already strained due the current economic conditions.

For this reason, I cannot support this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 446

Governor's Office, Sacramento

October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 446 without my signature.

As I have emphasized in the past, this Administration strongly believes that State employees should be paid on a timely basis, and we have worked diligently with the State Controller to accomplish that.

Last year I vetoed SB 360, which is nearly identical to this bill. Similarly, this bill is not needed because the Federal Fair Labor Standards Act already provides for the payment of wages, including overtime, prior to the close of the next subsequent pay period. The State is also subject to Labor Code Section 207, which requires regular pay days.

Additionally, according to the Department of Finance, the provisions of this bill would result in increased workload and undetermined costs to the State Controller, resulting from the necessary revamping of the payroll system. At a time when the State is operating with limited staff resources and striving to further reduce State expenditures, this bill is unnecessary.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 457

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 457 without my signature.

This bill would authorize the State of California, the California State University System, the Judicial Branch, CalPERS contracting agencies, local schools and community colleges, and 1937 Act counties to offer an incentive of up to two years service credit or two years of age to employees who agree to retire within a certain timeframe.

While this bill contains many safeguards, including requirements that the incentive is bargained for and that cost savings must result, there is still a very real potential that public employers will be paying to encourage retirements that would have occurred even without that incentive. Further the existence of a retirement incentive program such as a "Golden Handshake" has the unintended consequence of delaying rather than encouraging timely retirements; specifically, employees who normally would retire delay that retirement awaiting the implementation of a Golden Handshake.

At any rate, I have already signed AB 719 and AB 55 this year, which would allow State and local government employees to purchase up to 5 years of service to enhance retirement benefits. These benefits will encourage early retirement at no cost to the public employer. Therefore, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 487

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 487 without my signature.

This bill would require the imposition of two new fees on consumers who rent cars in California.

I believe it is inappropriate to impose new fees purely for the benefit of one industry. In addition, stating these new rental car fees separately is misleading to consumers who may not be aware that advertised rental car prices do not include vehicle license fee charges.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 522

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 522 without my signature.

This bill would have required local agencies to accept an identification card issued by the Mexican Consulate Office, or Matricula Consular, as an official form of identification to the extent permitted by federal law.

Under current law, any local agency is free to accept identification cards issued by the Mexican Consulate Office, and a number already have. However, I recently signed SB 60, which allows taxpaying immigrants to obtain either a valid California identification card or valid California's driver's license. Thus, there is no need to sign this measure.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 526

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning AB 526 (Chan) without my signature. This bill would permit Alameda County to create a pilot program for county elections whereby individuals could register and vote at specified locations during the 14 day period up to and including election day.

While I appreciate the author's efforts to increase voter participation, I continue to have concerns that same day registration will lead to logistical problems and overall confusion at the polls on election day.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 643

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 643 without my signature.

This bill would allow the legislature to make appointments to the Occupational Safety and Health Standards Board in the event that a vacancy exists for more than 60 days.

I am vetoing this bill because it would interfere with the separation of powers between the executive and legislative branches of government.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 828Governor's Office, Sacramento
October 12, 2003*To the Members of the California Assembly:*

I am returning Assembly Bill 828 without my signature.

AB 828 requires elections officials to establish and implement alternative voting procedures in the event a precinct board runs out of ballots. It also requires every county to develop an alternative voting procedure in the event that an electronic voting system fails.

While I appreciate the author's effort in addressing such issues, I am concerned that allowing voters to use any type of paper to cast his or her vote could lead to voter fraud and confusion. Furthermore, according to the Department of Finance, this bill could result in a significant reimbursable state mandated program for the requirement that polling places follow specified procedures when a precinct runs out of ballots. Therefore, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 899Governor's Office, Sacramento
October 12, 2003*To Members of the California State Assembly:*

I am returning Assembly Bill 899 without my signature.

This bill would require the State to enter into a binding arbitration with employees of the California Department of Forestry Firefighters (Collective Bargaining Unit 8) when an impasse has been declared over economic issues.

I am unable to sign this bill because it would erode the authority of the State fiscal and employment policymakers to ensure that the State's policies in these areas are followed. Collective bargaining between the State and employee unions should be left between those two entities and not to an outside arbitrator.

Sincerely,

GRAY DAVIS

RECEIPT

I acknowledge receipt this 12th day of October 2003 at 10:47 p.m., of Assembly Bills Nos. 52, 331, 446, 457, 487, 522, 526, 643, 828, and 899, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

HUGH R. SLAYDEN
Acting Chief Clerk of the Assembly

Veto Message—Assembly Bill No. 1027

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1027 without my signature.

By requiring extensive joint salary surveys for Bargaining Unit 10, the California Association of Professional Scientists, this bill would duplicate existing surveys conducted by the Department of Personnel Administration. Additionally, the salary survey required under this bill conflicts with AB 2477, which I signed last year. AB 2477 established the Excluded and Exempt Employee Salary-Setting Task Force. The Task Force's mandate is to develop and recommend by July 1, 2004, an equitable salary and benefit setting process for excluded and exempt employees in State government.

Finally, this bill would require the Department of Personnel Administration to "meet and confer in good faith" with the California Association of Professional Scientists over salary survey methodology for supervisory employee classes. By utilizing this term of art in the context of salary issues affecting supervisory employees, this bill could be construed as a step to extending collective bargaining rights to an excluded employee organization. Given these concerns, I am unable to sign AB 1027 in its current form.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1051

Governor's Office, Sacramento
October 12, 2003

To the Members of the California State Assembly:

I am returning Assembly Bill 1051 without my signature.

This bill would revise and recast the statutory provisions that govern the methodology by which public agencies providing public utility services assess their capital costs for providing those services to school districts, community college districts, California State University, University of California, and State agencies.

Current law, enacted in 1988, requires capital costs assessed upon the State and other public entities to be proportionate to those entities' use. AB 1051 would define "capital facilities fees" as those capital costs related solely to providing service to new or expanding customers. Unfortunately, this change in definition would exclude capital costs related to maintaining, repairing, or upgrading existing utility infrastructure from the requirement that costs be allocated proportionately, or otherwise be negotiated.

In redefining the terms "service rate/charge" and "surcharge," this measure would allow new capital facilities fees, fee increases, and surcharges to be imposed without mutual agreement and removes the "actually serving" and price deflator limitations. In addition, it imposes a short statute of limitations on recovering past overcharges and provides little in the way of notice and disclosure for new fees and fee

increases. These existing statutory provisions are the only protections that educational facilities and State agencies have against being unfairly charged.

I am concerned about the potentially significant fiscal impact on public entities and state agencies, specifically, educational institutions. Public utility providers should provide more information about how capital costs are allocated by rate class. I note that some public agencies providing utility services already make such information available to their customers.

For these reasons, I am unable to approve this measure at this time.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1093

Governor's Office, Sacramento

October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1093 without my signature.

This bill would enact the California Living Wage Act, which will require the State of California, and any employer that contracts with the state, to pay a living wage to its employees.

Although I support the concept of higher wages for workers, this bill would:

- Result in increased General Fund costs that are not included in the Budget Act of 2003;
- Increase contracting costs for all state departments at a time when they can least afford it;
- Reduce competition for state contracts, thereby driving up costs and limiting the types of solutions available to state agencies;
- Raise policy concerns about the appropriateness of paying a living wage to high school and college students, who work part time for the state and who are presumably not independent wage earners;
- In addition, it is not clear which state entity, the Department of Finance or the Department of Industrial Relations, would be responsible for adjusting the wage annually, nor under what circumstances the CCPI would be discarded in favor of an "adequate living wage standard" as determined by DIR.

In light of the State's current economic condition, I am hesitant to sign this measure at this time and would hope the next Administrations reconsider this proposal in better economic times.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1133

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1133 without my signature:

This bill provides that if a judgment for unpaid wages or penalties remains unsatisfied for 6 months after the judgment becomes final, a penalty equal to the amount of the judgment is applied. This penalty is then applied every 6 months the judgment remains unsatisfied, up to a maximum of 4 times.

This bill is intended to encourage employers to promptly satisfy judgments entered against them by the Labor Commissioners Office. However, existing law already provides that interest on judgments accrues at a rate of 10 percent per annum on the principal amount of a judgment, which remains unsatisfied.

I applaud the author for his efforts to ensure prompt payment of unpaid wages and any associated penalties. While the current 10 percent per annum rate on a judgment may not be a sufficient penalty, potentially doubling a judgment 240 percent in a two-year period is excessive. I encourage the Legislature to find a more appropriate penalty scheme.

For these reasons, I am unable to sign this bill.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1245

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1245 without my signature.

This bill would require the Attorney General (AG) to forward a draft copy of a proposed initiative to the Secretary of State (SOS). SOS is then required to post the draft, including the names of the proponents, on its web site for 30 days to facilitate public comment on the measure. The public comments will be retained on the web site for 90 days. After 120 days, proponents have the option to direct the AG to prepare the draft as originally presented, a revised draft, or posed a revised draft on SOS's web site for another 30 days.

Specifically, under this bill, I am concerned that an initiative could receive either a negative or positive public comment while displayed on the SOS' web site; the proponents may then revise the initiative, but is not required to repost it. Consequently, the public may see one version of the initiative prior to the election and an entirely different initiative during the election. Furthermore, this bill would cost approximately \$100,000 in General Fund, which is prohibitive in light of California's fiscal condition.

While I fully recognize the intent of this bill is to facilitate public comment on statewide initiatives and appreciate the efforts of the author in addressing such issue, I am unable to sign this bill in its current form.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1308

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am returning Assembly Bill 1308 without my signature.

This bill would (1) authorize the Department of Alcohol and Drug Programs (DADP), to develop a fee system for alcohol and other drug (AOD) providers, (2) require courts to receive agreement from providers before discontinuing narcotic replacement therapy, (3) require the DADP to publish treatment protocols for AOD addiction services in local correctional facilities by January 1, 2007, and (4) prioritize future grants designated for local correctional facilities that have programs consistent with the DADP's treatment protocols.

While there is value in making treatment available to the in-custody population, this bill would heavily burden counties that do not have the resources to establish a program and would effectively bar them from receiving state grant support because those funds would perpetually be out of reach. The priority consideration granted to counties with an approved plan will create a two-tier system. This measure ensures that those counties that do not currently run programs continue to be disadvantaged in their quest to develop like programs.

I believe that the DADP should publish a treatment protocol for AOD addiction in correctional facilities. It is important to establish a "best-practice" approach for treating inmates addicted to drugs. As local and State correctional facilities voluntarily begin to follow the model protocol, the rate of repeat incarceration for AOD-related crimes should decrease.

Sincerely,

GRAY DAVIS

Veto Message—Assembly Bill No. 1715

Governor's Office, Sacramento
October 12, 2003

To the Members of the California State Assembly:

I am returning Assembly Bill 1715 without my signature.

This bill would make it an unlawful employment practice for an employer that has five or more employees to require an employee to waive any rights or procedures under the Fair Employment and Housing Act as a condition of employment. I vetoed a similar bill last year. As I stated last year, there is no question that employees have the right to be free from discrimination and sexual harassment on the job, and I have signed landmark legislation to further achieve that aim.

I do believe that the arbitration process needs to be addressed to ensure that it is fair and cost-efficient for all parties. That is why I was pleased to sign SB 475 (Escutia) in 2001, which provided for the creation of ethical guidelines for arbitrators in alternative dispute resolution (ADR). There may be other reforms to the arbitration process that the Legislature can adopt which will be fair to employees and employers alike.

California Department of Fair Employment and Housing laws apply to businesses with five or more employees. This bill would apply to small businesses, the entities most likely to benefit from ADR. In my State of the State address I pledged to help California's small businesses

to compete and thrive in California. I am concerned about adversely affecting the ability of California business to cost efficiently resolve disputes.

I am proud of my civil rights record and proud of the many significant civil rights measures this Legislature has authored, passed and presented to me for signature. I want to thank the sponsors, the supporters and all of the members of the Legislature for their dedication to insuring California has the strongest civil rights laws in the nation. Attached is a partial list of civil rights bills passed by the Legislature that I was honored to sign.

Sincerely,

GRAY DAVIS

Veto Message, Assembly Bill No. 1715—Referenced Attachment

California Civil Rights Legislation signed under Davis Administration

- AB 26 (Migden, 1999) and AB 25 (Migden, 2001) established the nation's first Domestic Partner Registry, extended health care benefits to domestic partners and provided domestic partners with hospital visitation rights.
- AB 537 (Kuehl, 1999) prohibits harassment and discrimination of students on the basis of sexual orientation.
- AB 1001 (Villaraigosa, 1999) amended the Fair Employment and Housing Act to prohibit discrimination in employment and housing on the basis of sexual orientation.
- AB 1670 (Kuehl, 1999), The California Civil Rights Amendments of 1999, gave women, disabled workers, and others greater protection against discrimination; extended anti-discrimination laws to applicants for employment and job training, and prohibited discrimination against employees and applicants based on lawful conduct outside of employment.
- AB 2222 (Kuehl, 1999) and SB 1098 (Burton, 1999) expanded employment rights for Californians with disabilities and banned housing discrimination based on income or financial status.
- AB 1856 (Kuehl, 2000) expressly provided that employees of any entity covered under the California Fair Employment and Housing Act may be personally liable for prohibited harassment perpetrated by a co-employee.
- AB 1088 (Jackson, 2001) protects individuals from gender discrimination pricing and required businesses to display prices and signs summarizing California's laws prohibiting gender discrimination in the prices charged for services.
- AB 2225 (Migden, 2001) ended the statewide ban on adoption by unmarried couples.
- SB 1661 (Kuehl, 2002) extended disability compensation and family leave to domestic partners
- AB 17 (Kehoe, 2003) requires every state contractor to provide the same benefits to domestic partners as are provided to spouses.
- AB 196 (Leno, 2003) expanded the definition of sex discrimination prohibited under the FEHA to include gender. Gender is defined as the employee's actual sex, or the employer's perception of the employee's identity, appearance, or behavior, even if these characteristics differ from those traditionally associated with the employee's sex at birth.

- AB 205 (Goldberg, 2003) expands the rights and responsibilities of registered domestic partners.
- AB 458 (Chu, 2003) ensures that foster children and others in the foster care community are not subjected to discrimination or harassment on the basis of actual or perceived race, ethnic group identification, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability, or human immunodeficiency virus (HIV) status.

RECEIPT

I acknowledge receipt this 12th day of October 2003 at 10:49 p.m., of Assembly Bills Nos. 1027, 1051, 1093, 1133, 1245, 1308, and 1715, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

The following messages from the Governor were received and ordered printed in the Journal:

Signing Messages

Governor's Message—Assembly Bill No. 24

Governor's Office, Sacramento

September 20, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 24. The bill would extend, from 2004 to 2006, the requirement that home sellers give notice to prospective home purchasers about any past release of an illegal controlled substance on the residential property. The bill also allows for the creation of a brochure containing information regarding swimming pool and spa safety. The bill encourages an unnamed private entity, in consultation with the Epidemiology and Prevention for Injury Control (EPIC) Branch of the California Department of Health Services (DHS), to produce an informative brochure for consumer use. If a private entity produces the document and donates it to the department, DHS must review and approve the brochure within 18 months, and place the document on its web site.

Drowning is a leading cause of death, disability and injury for children under five, with half of these drownings occurring in residential pools. The state should take additional steps to inform and remind pool owners and users of steps they can take to minimize the risk of drownings. I am directing the Department of Health Services to implement this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 786

Governor's Office, Sacramento

September 20, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 786, but I wish to advise the Assembly that implementation of this law is dependent upon federal action.

This bill requires the County of San Mateo, on a pilot project basis, to adopt the Minimum Data Set-Home Care (MDS-HC) assessment

instrument for use by home- and community-based health programs in San Mateo County that serve elderly and disabled persons. Many of these programs receive funding from State-administered programs that use federal funds, such as the Medi-Cal program, and must comply with federal requirements to maintain eligibility for federal funding. The federal government will sometimes modify those requirements, upon request by the appropriate State agency. If a federal agency requires submission of a federal Medicaid waiver for implementation of AB 786, the Department of Health Services would incur substantial costs for preparation of that request.

This bill, however, provides that State funds shall not be appropriated for its purposes. I wish to clarify that, to avoid this inconsistency, implementation of this bill will proceed only if no federal agency requires a State agency to submit a federal waiver for modification of federal requirements as a condition for continued federal funding with the implementation of AB 786.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 938

Governor's Office, Sacramento
September 20, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 938. This bill establishes the Licensed Mental Health Provider Education Program (Program) and the Mental Health Practitioner Education Fund. The Program would provide scholarships and loan forgiveness to mental health professionals, who agree to serve in certain medically underserved areas upon graduation. The Program would be funded through a \$10 fee added to the fees paid by licensed clinical social workers, psychologists and marriage and family therapists at the time of license renewal.

The shortage of mental health providers is one of the most urgent issues facing the mental health system. I am signing this bill with the understanding that the Office of Statewide Health Planning and Development (OSHPD) will implement it within existing resources. I will support legislation that gives OSHPD an additional year for implementation beyond the 1/1/05 start date currently in the bill.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1783

Governor's Office, Sacramento
September 20, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1783 which would delete the January 1, 2004, sunset on the postsecondary education cross enrollment program, and would authorize the host campus to charge an administrative fee that is sufficient to cover the costs incurred by that campus, rather than the currently authorized fee of \$10.

Lifting this cap without a policy to ensure a consistent fee policy in place could lead to unequal treatment of cross enrolled students across the segments. I am signing this bill with the understanding that this issue

will be revisited next year to establish a policy requiring a consistent fee on an annual basis, in a manner that provides fair treatment within each postsecondary education segment.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 170

Governor's Office, Sacramento
September 22, 2003

To Members of the California Legislature:

I am signing Assembly Bill 170, which requires the amendment of each city and county's General Plan within the next five years to incorporate strategies for air quality improvement.

This bill makes provisions for long term planning within the San Joaquin Valley to address the serious air pollution problems impacting the Valley's residents.

This bill does not result in a reimbursable mandate pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the requirements of this act. As stated in the bill, it is the intent of this legislation for local agencies to use their existing fee authority given under California Government Code Sections 65104 and 66014 to acquire any additional funds needed to implement the provisions of this bill.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1266

Governor's Office, Sacramento
September 28, 2003

To Members of the California Legislature:

Assembly Bill 1266 makes various statutory changes necessary to implement the education portion of the 2003 Budget Act, and generates savings and cost avoidance in 2003–04.

I am signing this measure with the expectation that the Legislature will pass clean-up legislation to eliminate language that could retroactively deny 2003–04 Governor's Scholars Awards to students who were eligible to receive an award and complied with the underlying standardized tests during Spring 2003. Since students have already earned this entitlement, it is not possible to retroactively change statute to deny them the awards for which they are eligible under current law.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1576

Governor's Office, Sacramento
September 28, 2003

To Members of the California Legislature:

I am signing Assembly Bill 1576 which authorizes local building code enforcement agencies to issue citations for failure to strap, anchor or brace a water heater in residential rental units as required by existing law. In addition, this bill also prohibits landlords from evicting tenants

on the basis that the eviction is required for the landlord to comply with the requirements that residential water heaters be anchored or strapped to resist falling due to an earthquake.

In signing this measure, I am also directing the Department of Housing and Community Development to implement the provisions of the bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 826

Governor's Office, Sacramento
September 29, 2003

To Members of the California Legislature:

I am signing Assembly Bill 826, which will require the Department of Toxic Substances Control to develop regulations by December 31, 2005 establishing standards for managing the handling and storage of perchlorate and create a framework for a statewide data base of facilities using perchlorate.

In adopting these regulations I am directing the Department to take measures that protect the confidentiality of perchlorate storage facility locations to ensure protection of homeland security.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 591

Governor's Office, Sacramento
October 1, 2003

To Members of the Legislature:

I am signing Assembly Bill 591, which would encourage the advisory group established jointly by Chapter 31, Statutes of 2002 (AB 1412) and Chapter 989, Statutes of 2002 (SB 1934), to identify career technical education courses that meet state-adopted academic content standards for high school graduation and that satisfy admission requirements for the University of California (UC) and the California State University (CSU).

I am signing this bill with the understanding that the Superintendent of Public Instruction will use existing resources to implement this measure.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1548

Governor's Office, Sacramento
October 2, 2003

To Members of the California Assembly:

I am signing Assembly Bill 1548, which will establish the Office of Education and the Environment (OEE) within the California Environmental Protection Agency to develop environmental education principles and a model curriculum for grades kindergarten through 12.

The bill creates a logical, cost-neutral approach to teach environmental principles and resource conservation in California classrooms. The measure also aligns state agency environmental based

education programs with State approved education content standards and curriculum requirements. This creates more effective environmental education programs and helps focus limited state dollars to a unified educational effort.

Now that a coordinated statewide environmental education program is in place, I am directing all state departments and agencies that expend environmental education funds for teaching children in primary and secondary schools to allocate funding for implementation of this program. However, the bill has some technical problems that could impede implementation. I am signing this measure with the understanding the author will work with CalEPA next year to correct a drafting error and require school districts to consider the environmental education principles when adopting instructional materials.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 390

Governor's Office, Sacramento

October 8, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 390, which requires that specified health facilities test their diesel backup generator in accordance with the most recent standard set by the Joint Commission on the Accreditation of Healthcare Organizations, which would reduce the current testing requirement from weekly or every other week depending on facility type to monthly. These provisions would be repealed as of January 1, 2009. I am directing Department of Health Services to absorb the cost of this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 942

Governor's Office, Sacramento

October 8, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 942, which authorizes a school district, in the absence of a credentialed school nurse or other licensed nurse, to provide voluntary emergency medical training to school personnel to administer emergency medical assistance to pupils with diabetes suffering from severe hypoglycemia if standards are developed. This bill also permits certain pupils to test their own blood glucose levels and to provide diabetes self-care in any area of the school or grounds upon parent or guardian request.

I am signing this bill because it is vital that we give schools added options to assist diabetic students in need. However, I am concerned that this bill, if enacted, would possibly expose school personnel and schools to the risk of legal and financial liability in the event of injury to a pupil. A pending Legislative Counsel opinion will make a finding on this matter of liability. I am signing this bill with an understanding that the

author has committed to pursue cleanup legislation that would provide stronger legal protections for schools and school staff in the event that the pending Legislative Counsel opinion identifies such a problem.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1326

Governor's Office, Sacramento
October 8, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1326 because I am supportive of experimentation with the delivery of subsidized child care.

This bill would establish a five-year pilot project for subsidized child care in San Mateo County authorizing the County to set its own eligibility criteria and reimbursement rates for providers who wish to participate. The bill would require that the pilot project be approved by the local child care planning council, the County Board of Supervisors, and the Child Development Division (CDD) of the State Department of Education (SDE). Furthermore, the bill would require the County to submit an annual report summarizing the results of the pilot to the Legislature, the Department of Social Services (DSS), and the SDE, and demonstrate by the end of the first complete fiscal year an increase in enrollment over the level of the final quarter of the 2002–03 fiscal year.

The state's child care system is currently overly complicated and inequitable in many respects with regard to ensuring services to the neediest families. This Administration has proposed significant changes to the State's Child Care programs over the last several years in an effort to more equitably serve the state's neediest families and to promote cost containment, including recognition of the problems in high cost counties. The Governor's Budget for 2003 also proposed state-county realignment that would have authorized counties to do all of the things envisioned in this bill and more. While those proposals have resulted in modest levels of reform, I am still aware that more needs to be done.

In signing this bill, I do so with the understanding that this bill will not result in the need for any additional state funding than would have been allocated to San Mateo County providers under current law, including funding for CalWORKs child care programs. While the provisions of this bill do not explicitly ensure this to be the case, I strongly encourage the Superintendent to work closely with the Administration through the Department of Social Services and the Department of Finance to ensure consensus approval of the County's plan prior to any contract changes being approved. I understand the author's intent is consistent with this cost neutral intent, so that this level of review should not impede a thoughtful plan from being implemented.

Further, there should be cleanup legislation to not only codify these understandings, but to remove the restrictions imposed by this bill on the ability of the county to adjust the family fee schedule to raise local revenue for the purpose of making more significant access possible. This would increase the likelihood that any intended increase in reimbursement rates to providers or extension of income ceilings for continued family eligibility would be able to mitigate the higher costs and slower turnover of waiting lists that would result due to these potential local policy changes. The current fee schedule does not

necessarily reflect the optimum balance of parental contributions to assist families and I believe counties should have the flexibility to determine if increases are appropriate for the families they serve. Lastly, I am also concerned that this bill may be construed to authorize exemptions from the recent emergency regulations promulgated by the Superintendent on the use of the Regional Market Rate Survey in voucher based programs and the policy decision made by the Legislature in the 2003–04 budget process to eliminate services to 13 year olds. It is, again, my understanding that no contracts be amended to undo these agreed upon reforms.

I hope that this pilot program will improve self-sufficiency for families, impact positively on school readiness and success, and improve access to the neediest families within existing levels of funding.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 879

Governor's Office, Sacramento
October 9, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 879. This bill requires the Department of Health Services (DHS) Through Office of AIDS, to appoint and convene a task force to develop recommendations for the use of post-exposure prophylaxis (PEP) in the general population. This bill also establishes requirements for task force membership and specifies that the task force members serve without compensation. The recommendations shall be posted on the department's website.

California physicians frequently struggle with a wide range of concerns when evaluating a patient for HIV PEP treatment, including making an accurate assessment of the exposure risk and determining the optimal treatment approach and duration. The guidelines created pursuant to this bill would provide a standardized clinical response and a course of action for all California patients, regardless of whether they receive medical treatment in a rural, urban, or suburban setting.

I am directing DHS to implement this bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 47

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 47, which requires the Board of Forestry to adopt regulations by January 1, 2005, to require timber harvest plans (THP) to include maps depicting the location and boundaries of past, present, and reasonably foreseeable future projects on land owned

by a THP applicant. In addition, this bill requires the Board of Forestry to consider impacts of the regulations on smaller landowners in order to avoid excessive costs on those landowners.

In signing this measure, I am also directing the Department of Forestry and Fire Protection to implement the provisions of the bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 54

Governor's Office, Sacramento

October 10, 2003

To the Members of the California Assembly:

I am signing Assembly Bill 54, which would require the California Commission on Teacher Credentialing (CTC) in consultation with the State Department of Education, to contract with an independent evaluator, as specified, to conduct a study of the availability and effectiveness of cultural competency training (professional development programs) for teachers and administrators in culturally diverse public schools.

Last year, I vetoed a similar bill (AB 2604) and its funding because the new teacher preparation program requirements had just been implemented. I am signing AB 54 this year because the new requirements have been in place long enough to study their effectiveness.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 245

Governor's Office, Sacramento

October 10, 2003

To the Members of the California State Legislature:

I am signing Assembly Bill 245 which creates an infraction punishable by a fine of up to \$250 for an individual attending a professional sporting event who throws any object on or across the court or field of play with the intent to interfere with or distract a player and for individuals at sporting events who enter the court or field of play without permission from an authorized person. This bill also exempts individuals convicted of this infraction from paying the associated penalties and surcharges.

I am signing AB 245 based on a commitment from the author to introduce clean-up legislation that would delete the provision of this bill that exempts individuals from paying penalties and surcharges.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 593

Governor's Office, Sacramento

October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 593, which requires that Secretary of State (SOS) to provide voter registration forms to all high schools, community colleges, California State University, and University of

California campuses. This bill eliminates the requirement that a permanent absentee voter who fails to vote in the primary be deleted from the permanent absentee voter list. This bill also directs the Department of Motor Vehicles (DMV) to forward digitized signatures (electronic copy) of individuals who register to vote to the SOS.

While I have always supported efforts to increase voter participation, I have vetoed similar bills in the past due largely to the mandate provision of such bills. Such mandate is not included on this bill. I note, however, that I am still concerned with the potential State costs associated with this bill in light of California's fiscal condition.

Therefore, to address the potential State costs associated with this bill, the SOS and the author have agreed that implementation of this bill, including the requirement that DMV forward digitized signatures to SOS, will be based on availability of federal funds from the Help America Vote Act of 2002.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 855

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 855 contingent upon the authors pursuing clean-up legislation in January 2004.

This bill requires the Department of General Services (DGS) to compile and make available on request an inventory of State property available for wireless telecommunications facilities, and authorizes DGS to enter into agreements to lease State property to site wireless telecommunication facilities. This bill also sets aside 15% of the revenues generated from the new wireless telecommunication facility leases to provide grants to nonprofit, community-based organizations for accessing e-government services (digital divide).

AB 855 will provide new opportunities for locating wireless telecommunications facilities throughout the state and will encourage construction of wireless telecommunications facilities on suitable State property that will enhance wireless service quality for Californians. It is estimated that this bill will generate between \$20 and \$40 million to the State's General Fund through revenues raised by lease fees from wireless carriers that choose to locate equipment on property designated by the state.

This bill will result in a "win-win" outcome, enhancing providers' ability to locate wireless facilities and, subsequently, generating additional revenues for digital divide projects. AB 855 will help to close the technology gap that exists between access to technology resources and the state's low-income, disabled, and rural populations by supporting the work of community technology centers. This bill creates a new source of funding to enhance this effort as well as a new source of revenue for the State General Fund.

The authors have agreed that the clean-up legislation will clarify: 1) DGS will not enter into a lease of state property without the approval of the state entity that has control over the property; and 2) that if a wireless telecommunication facility is sited on land purchased with money from a continuously appropriated special fund, all revenue generated from the lease shall be deposited into that special fund.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 998

Governor's Office, Sacramento

October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 998, which establishes a Nontoxic Dry Cleaning Incentive Trust Fund to encourage California dry cleaners to switch from the dry cleaning solvent perchloroethylene (PCE) to less toxic alternatives. Fees on each gallon of PCE purchased would fund a demonstration project and provide incentive grants to dry cleaners to switch to less toxic alternatives.

AB 998 provides the financial incentives needed for dry cleaners to use the cleanest possible alternatives to PCE, a known carcinogen. There are two known non-toxic and non-smog forming alternative technologies available to the dry cleaning industry: wet cleaning with water and carbon dioxide cleaning. As an example, Hanger Cleaners in San Diego uses carbon dioxide cleaning and reports positive customer response and a cleaner environment for employees and the surrounding community. I am proud to join eight other states that have passed similar laws to promote alternatives to PCE.

Although I am signing this bill, I am greatly troubled by an increasing California pollution problem caused by emergent contaminants fouling our water and air, such as PCE, chrome 6, MTBE, radiation, PBDE, and perchlorate. Therefore, I challenge the author and stakeholders to continue the leadership shown by this measure and lead the way next year to devise an innovative solution to address the cross-media pollution problems caused by PCE and the other emergent contaminants.

I am signing this bill with the understanding that the Air Resources Board, Office of Environmental Health Hazard Assessment and Department of Health Services implement this measure within existing staff resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1208

Governor's Office, Sacramento

October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1208, which allows board members of small rural districts (e.g., such as a small irrigation district) to have a financial interest in a contract provided that: (1) the board member is a member of a special district serving a population less than 5,000; (2) the contract is for either maintenance or repair of the district's property; (3) the board member did not participate in the formulation of the

contract; and (4) at a public meeting, the governing body of the district determines that the property acquisition or maintenance and repair services cannot otherwise be obtained at a reasonable price. Additionally, this bill specifies that if a party challenges the contract, the district shall bear the burden of proof to show the contract fits within the definition of a remote interest.

I vetoed a similar bill, SB 2064 (Costa, 2000), because it would have diminished the level of public protection by expanding established conflict of interest rules. As drafted, AB 1208 has addressed my concerns. Specifically, AB 1208 requires that the contract cannot otherwise be obtained at a reasonable price and places the burden of proof on the district should there be a challenge by any party to the contract. Given these safeguards, I am signing AB 1208.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1497

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1497, which makes changes to the current landfill oversight process.

In signing this measure, I am also directing the Integrated Waste Management Board to implement the provisions of the bill within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1521

Governor's Office, Sacramento
October 10, 2003

To the Members of the California Legislature:

Assembly Bill 1521 specifies the dates on which an all-mail ballot election may be conducted and allows municipal elections to be held on five different election dates. I have vetoed a similar bill, AB 718 (Pacheco), this session because certain provisions would have had a significant reimbursable State-mandated cost to the General Fund. This bill no longer has the mandate cost provision. Therefore, I am signing this bill.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1688

Governor's Office, Sacramento
October 10, 2003

To Members of the California Legislature:

I am signing Assembly Bill 1688 which helps to control the exploitations of labor law violations in the car wash and polish industry. It requires any employer that operates a car wash and polish business to register with the Labor Commissioner and to comply with applicable statutory and regulatory requirements. In addition, this bill creates the Car Wash Worker Restitution Fund for the purpose of providing restitution to car wash workers that are injured by a car wash and polish

business' failure to pay wages. A portion of the car wash and polish industry registration fee will be used for administration and enforcement of the Car Wash Worker Restitution Fund.

This bill addresses the concerns that I voiced in vetoing a SB 1097 (Hayden, 1999), a similar bill. Additionally, since vetoing that bill, my Labor Commissioner has conducted enforcement sweeps of this industry across the state. The Labor Commissioner has found multiple violations of California labor law, including: illegal cash pay, child labor law violations and failure inadequate workers compensation insurance. In addition, through these investigations, it became evident that this segment of the work force is often reluctant to report these crimes to a governmental agency for fear of retaliation. Therefore, the licensing and enforcement program created by this bill is necessary to protect these vulnerable workers.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1631

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1631, which eliminates the requirements in existing law that a school district must be operating on a multi-track year-round (MTYRE) schedule in order to be eligible to receive a supplemental grant for any project when it plans to demolish an existing single-story building and replace it with a multi-story building.

Last year I vetoed a similar bill because I was concerned that severely overcrowded school districts would be competing for the same funding as other school districts. My concerns have been mitigated since the voters passed Proposition 47 in November 2002, which provided that critically overcrowded schools have a separate funding source (\$1.7 billion) for modernization and new construction. Therefore, the competition for supplemental grants between critically overcrowded districts and other school districts no longer exists.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1719

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 1719, which would strengthen the notification and reporting requirements in existing law regarding complaints filed with the State Department of Occupational Safety and Health and extends the sunset for the state's electrician certification program. This bill would also specify the organization authorized to establish an alternative dispute resolution procedure for licensed jockeys.

I am signing this measure because the Department of Industrial Relations indicates this bill can be implemented within existing resources.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 14

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 14, which would allow the Los Angeles Unified School District (LAUSD) to establish a job order contracting process that would allow contractors to competitively bid adjustment factors to projects with pre-determined unit prices, with the contract being awarded to the contractor that bids the lowest adjustment factor. LAUSD would be authorized to implement and utilize the alternative pilot process for small public works modernization and maintenance projects that do not exceed \$1 million until December 1, 2007. The bill would also add legislative intent language indicating that a moratorium be placed on the enactment of any additional legislation authorizing school districts to use job order contracting until the Legislature has received the reports required pursuant to this bill.

Last year I vetoed a similar bill (AB 2841) because it did not have adequate protections for ensuring an that open and competitive bidding process would be used for public works and maintenance projects.

I am signing AB 14 because it includes safeguards requiring LAUSD to competitively bid its job order contract projects, clarifies that the bill does not preclude the district from using the traditional method of contracting, specifies that the contracts are awarded to the lowest bidder, and prohibits the district from using job order contracts if the district determines this approach will result in higher costs than the traditional contract method.

In addition, I believe that job order contracting could result in cost savings for modernization projects of the LAUSD. This bill gives further assurances that small contractors are not discouraged by the size of the district and the potential quantity of work. In this regard, I encourage the school district to bid job order contracts on a "local district" basis within the district, rather than on a district-wide basis.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 71

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Assembly:

I am signing Assembly Bill 71 which would require the establishment of a program to license tobacco retailers, wholesalers/distributors, importers, and cigarette manufacturers, administered by the State Board of Equalization (BOE). The bill also includes additional fines and penalties for sales of tobacco to minors, including license suspension, with such suspension or revocation for tobacco sales to minors in effect only after repeated violations and if the state rate of tobacco sales to minors is 13 percent or greater.

I am signing this measure because it is a step in the right direction to combat the illegal sales of cigarettes and related tax evasion.

However, fighting the deadly effects of tobacco has been a top priority of my Administration and California is the worldwide leader in tobacco control. In the last five years this administration has:

- Fought the tobacco industry and won. Our hard hitting and thought provoking ad campaign has unmasked the industry's hidden agenda to lure Californians to their tobacco products;
- Reduced the rate of youth smoking to one of the lowest in the nation and reduced the adult smoking rate faster than any other state;
- Reduced the rate of sales of tobacco to minors to an all time low;
- Enacted tough anti-smoking laws to create smoke-free zones around children's playgrounds and public buildings, expand enforcement of laws prohibiting sales of tobacco to minors to include sales over the internet and through the mail, and prohibit cigarette sales through self service displays; and
- Established a government-wide effort to identify and stop predatory retailers who sell tobacco to our children.

I am strongly opposed to the provisions of this measure that allow a vendor to remain licensed by the State to sell tobacco after they have been sanctioned numerous times for selling cigarettes to minors. I urge the Legislature to enact tougher legislation next year that enables the state to aggressively monitor and enforce laws prohibiting tobacco sales to minors and specifies stronger penalties on those who violate the law.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 264

Governor's Office, Sacramento

October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 264 to accommodate special district circumstances that require exceptions from current law. Normally, I would be reluctant to support policy that would reduce school district capacity to fund future capital needs because it would be contrary to the long-term interests of both the districts and the State. However, this bill's provisions are very limited in scope as only 25 percent of the proceeds could be used, and it applies only to school districts with declining enrollment and to property that has been previously sold. Thus the bill would be applicable in very limited circumstances; therefore I am willing to provide an exception given the current funding constraints such districts face.

I would, however, discourage future legislation that would broaden school districts ability to utilize proceeds from the sale or lease of surplus property to support operational activities. Such legislation would set a bad precedent. Allowing access to these resources for operational purposes would risk discouraging school districts from making the necessary budget decisions to achieve long-term fiscal health.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1137

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Legislature:

I am signing Assembly Bill 1137 which increases the oversight responsibilities of chartering entities, makes the renewal of a charter petition contingent upon meeting specified academic performance criteria, and augments the Charter School Categorical Block Grant.

Future legislation will be needed to clarify the academic accountability measures included in this bill to ensure that these measures serve as adequate indicators of a charter school's academic performance. Further, there must be a comprehensive reconsideration of the specific inclusion or exclusion of specific categorical programs as part of the Charter School Categorical Block Grant in light of the importance of specific incentive funding programs such as the Instructional Materials Funding Realignment Program.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1337

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Legislature:

I am signing Assembly Bill 1337 that would require special education hearing officers to issue specified written findings prior to rendering a decision to place, or reimburse for placement, a pupil with exceptional needs in a nonpublic, nonsectarian school or agency (NPS/A).

I am signing this bill because I believe it will help ensure that NPS/A placements will only be used when they are absolutely necessary to meet the educational needs of a student. However, I am concerned about the bill's requirement that hearing officers assert in written findings that the district's program has not complied with legal requirements. Specifically, I am concerned that such a requirement would inappropriately encourage hearing officers to make this finding, even when it is not accurate. Further, by requiring such findings, the bill may jeopardize federal education funding.

I am signing this bill with a commitment from the author that she will work with the Department of Finance to craft cleanup legislation that will be pursued in the second year of this legislative session so as not to jeopardize federal funding.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 1685

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Legislature:

I am signing Assembly Bill 1685, which reauthorizes the California Public Utilities Commission's Self-Generation Incentive Program until December 31, 2008, providing the solar and the distributed generation (DG) industry greater financial certainty and Californians

greater energy independence. This program provides the largest source of renewable energy project funding in the nation with \$125 million per year for solar, wind, fuel cell, and co-generation projects.

AB 1685 codifies the Self-Generation Incentives Program, continuing the development of new, cleaner electric power. It is important that investors who finance new projects leading the state to energy independence have assurance that this program will continue to support them. However, I do not believe this codification abrogates the PUC's underlying authority to establish or continue similar incentive programs in the future.

I am concerned by the disqualification of "waste gas" fired internal combustion engines from the program. These sources can have lower emissions than the alternative of directly flaring the waste gas to the air. I understand the author has agreed to introduce legislation next year which addresses this issue and ensures that not only the producers of the cleanest and most efficient gas distributed generation projects continue to participate in the program, but that those who reduce emissions by generating power using "waste" gas also qualify for the program.

I would also encourage the author to include a mechanism to certify compliance with the efficiency standards to ensure that qualifying clean and efficient distributed generation projects can establish eligibility for the program.

For these reasons, I am signing this measure.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 862

Governor's Office, Sacramento

October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 862, which provides that any state agency seeking to employ outside legal counsel must provide the representative of Bargaining Unit 2, California Attorneys, Administrative Law Judges and Hearing Officers in State Employment (CASE), with a written notice. The notice shall include a copy of the complaint or other pleadings, justification for the contract, nature of legal services, estimated hourly wage to be paid under the contract, estimated length of the contract, and identity of the person or party entering into the contract. This bill also specifies that disclosures under this bill are deemed to be privileged communications and shall not be construed to be waiver of any privilege.

I vetoed a similar bill, SB 2850 (Firebaugh), last year because it did not provide adequate protection with regards to information that are attorney-client privilege, work product or deliberative process. As drafted, AB 862 has addressed my concerns. Specifically, AB 862 specifies that disclosures under this bill are deemed to be privileged communications and shall not be construed to be waiver of any privilege. Given these safeguards, I am signing AB 862.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 654

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Legislature:

I am signing Assembly Bill 654, expresses legislative intent with respect to CSUS utilization of part time faculty. It expresses laudable goals for equitable and respectful treatment of these important public servants.

However, implementing the intent language of AB 654 will be costly and may adversely affect other aspects of community college programs, particularly in these times of funding shortages.

The intent language of AB 654 should not be implemented until there are adequate fiscal resources available.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 424

Governor's Office, Sacramento
October 12, 2003

To Members of the California State Legislature:

I am signing Assembly Bill 424 which would expedite the selection process of classified employees in the State's largest school district, while protecting the integrity of their merit-based selection process.

The protections in this bill include that: (1) the bill only applies to LAUSD and institutes a pilot program which sunsets January 1, 2006; (2) although classified positions can be made from any rank on the eligibility list, the district must consider relevant background and training, placement on the eligibility list and site seniority; and (3) this bill will expand the ability of the school district to make proper "job-person" matches from among individuals who have established their qualifications through a merit-based examination.

I am a strong proponent of the merit-based selection process. Providing flexibility on a pilot basis, with the protections noted, is warranted given the challenges posed by the unique size and geographic area of the LAUSD.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 290

Governor's Office, Sacramento
October 12, 2003

To the Members of the California Legislature:

I am pleased to sign Assembly Bill 290, which would amend current requirements regarding the notification of the intent to layoff a classified employee for both K–12 local education agencies and community colleges by extending the notification period from 30 days to 45 days and would require short-term employees to be given layoff notices before permanent classified employees are laid off.

Notification of the intent to layoff a classified employee for both K–12 local education agencies and community colleges is currently a requirement. This bill simply designates the time period in which a notice of intent to layoff must be extended to a classified employee. This action does not meet a higher level of service or create a new program, therefore does not create a reimbursable State mandate.

Sincerely,

GRAY DAVIS

Governor's Message—Assembly Bill No. 455

Governor's Office, Sacramento
October 8, 2003

To the Members of the California State Legislature:

I am signing Assembly Bill 455, which enacts the Toxics in Packaging Prevention Act, which will ban the sale of packaging that includes lead, mercury, cadmium or hexavalent chromium.

I am pleased to join the eighteen other states that have already enacted similar legislation, substantially reducing or eliminating land and water contamination contributed by heavy metals found in packaging materials. AB 455 is an important environmental protection measure for California which will promote pollution prevention at the source by reducing and eliminating the use of harmful chemicals in these materials.

I applaud Assemblywoman Chu's leadership in authoring this bill. However, there are several technical problems in this bill which may impede implementation that should be addressed next year. I ask the author to work with the Department of Toxic Substances Control to resolve these issues.

Sincerely,

GRAY DAVIS

INDEX OF GOVERNOR'S MESSAGES

Assembly Bills	Journal Page
14 signing message	4027
24 signing message	4015
43 veto	3999
47 signing message	4021
51 veto	4001
52 veto	4005
54 signing message	4022
71 signing message	4027
94 veto	4004
170 signing message	4017
183 veto	3998
218 veto	3998
245 signing message	4022
264 signing message	4028
270 veto	4001
274 veto	4001
290 signing message	4032
331 veto	4006
390 signing message	4019
424 signing message	4031
436 veto	4000
446 veto	4006
455 signing message	4032
457 veto	4007
487 veto	4007
522 veto	4008
526 veto	4008
591 signing message	4018
593 signing message	4022
642 veto	3999
643 veto	4008
654 signing message	4031
692 veto	4002
773 veto	4005
786 signing message	4015
826 signing message	4018
828 veto	4009
855 signing message	4023
862 signing message	4030
879 signing message	4021
899 veto	4009
938 signing message	4016
942 signing message	4019
946 veto	4000
998 signing message	4024
1027 veto	4010
1051 veto	4010
1093 veto	4011
1133 veto	4012
1137 signing message	4029
1208 signing message	4024
1219 veto	4002

1245	veto	4012
1266	signing message	4017
1308	veto	4013
1326	signing message	4020
1337	signing message	4029
1392	veto	4003
1438	veto	4003
1497	signing message	4025
1521	signing message	4025
1548	signing message	4018
1576	signing message	4017
1631	signing message	4026
1685	signing message	4029
1688	signing message	4025
1715	veto	4013
1719	signing message	4026
1783	signing message	4016

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 11

INTERIM STUDY RECESS

Assembly Chamber, Sacramento
Sunday, November 30, 2003

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2003–04 Regular Session was printed while the Assembly was in Interim Study Recess:

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

October 9, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Dora Gallo
to California Housing Finance Agency, Board of Directors

Dear Mr. Wilson: Please be advised I have appointed Ms. Dora Gallo to the California Housing Finance Agency, Board of Directors. This is a term appointment starting October 9, 2003 and the expiration date is March 16, 2009. Ms. Gallo will be replacing Mr. Robert Klein.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 23, 2003

*E. Dotson Wilson**Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Environmental Justice:

Assemblymember Wilma Chan
Assemblymember Judy Chu
Assemblymember Loni Hancock
Assemblymember Rick Keene
Assemblymember Doug La Malfa
Assemblymember John Laird
Assemblymember Alan Lowenthal
Assemblymember Fabian Nunez
Assemblymember Mark Ridley-Thomas
Assemblymember Juan Vargas
Assemblymember Leland Yee

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 23, 2003

*E. Dotson Wilson**Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on National Defense, Technology and Jobs:

Assemblymember Dave Cogdill
Assemblymember John Dutra
Assemblymember Robert Dutton
Assemblymember Tom Harman
Assemblymember Jerome Horton
Assemblymember Christine Kehoe
Assemblymember John Laird
Assemblymember Gene Mullin
Assemblymember George Nakano
Assemblymember Fabian Nunez
Assemblymember Fran Pavley
Assemblymember George Plescia
Assemblymember Sharon Runner
Assemblymember Juan Vargas
Assemblymember Mark Wyland

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 23, 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 the following members to the Select Committee on Privacy:

Assemblymember Ellen Corbett
Assemblymember Tom Harman
Assemblymember Hannah-Beth Jackson
Assemblymember Mark Leno
Assemblymember Carol Liu
Assemblymember Mark Wyland

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advised you that I have appointed the following members to the Select Committee on Gun Violence:

Assemblymember Judy Chu
Assemblymember Ellen Corbett
Assemblymember Dario Frommer
Assemblymember Jackie Goldberg
Assemblymember Jerome Horton
Assemblymember Hannah-Beth Jackson
Assemblymember Lloyd Levine
Assemblymember Sally Lieber
Assemblymember Alan Lowenthal
Assemblymember Abel Maldonado
Assemblymember Robert Pacheco
Assemblymember Mark Ridley-Thomas
Assemblymember Darrell Steinberg

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of Jim Woodhead
to Advisory Commission on Special Education

Dear Mr. Wilson: Please be advised I have reappointed Mr. Jim Woodhead to the Advisory Commission on Special Education. This is a term appointment starting January 1, 2004 and the expiration date is December 31, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Victor Law
to State Board of Optometry

Dear Mr. Wilson: Please be advised I have appointed Mr. Victor Law to the State Board of Optometry. This is a term appointment starting October 28, 2003 and the expiration date is January 1, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of William Brien
to Health Policy and Data Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Dr. William Brien to the Health Policy and Data Advisory Commission. This is a term appointment starting October 28, 2003 and the expiration date is January 1, 2005. Dr. Brien will be replacing Dr. Marvin Karno.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Robert Jones
to Board for Professional Engineers and Land Surveyors

Dear Mr. Wilson: Please be advised I have appointed Mr. Robert Jones to the Board for Professional Engineers and Land Surveyors. This is a term appointment starting October 28, 2003 and the expiration date is June 1, 2007. Mr. Jones will be replacing Mr. Andrew Hopwood.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 28, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Eric Chen
to Stem Cell Research Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Eric Chen to the to Stem Cell Research Advisory Panel. This is a pleasure appointment starting October 28, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

October 29, 2003

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Lesbian, Gay, Bisexual and Transgender Families:

Assemblymember Jackie Goldberg, Vice Chair
Assemblymember Judy Chu
Assemblymember Christine Kehoe
Assemblymember Paul Koretz
Assemblymember John Laird
Assemblymember Sally Lieber
Assemblymember John Longville
Assemblymember Patricia Wiggins

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 3, 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 Assemblymember Cindy Montanez to fill the vacancy on the Joint Committee on the Arts.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 3, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Michael Chang
to California Earthquake Insurance Authority
Governing Board and Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Michael Chang to the California Earthquake Insurance Authority Governing Board and Advisory Panel. This is a term appointment starting November 3, 2003 and the expiration date is January 1, 2006.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 3, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Correction of Expiration Date of William Brien
to Health Policy and Data Advisory Commission

Dear Mr. Wilson: Please be advised the expiration date of Dr. William Brien to the Health Policy and Data Advisory Commission is January 1, 2007 and not January 1, 2005.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 4, 2003

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Gang Violence and Juvenile Crimes:

Assemblymember Wilma Chan
Assemblymember Jackie Goldberg
Assemblymember Paul Koretz
Assemblymember Ken Maddox
Assemblymember Gloria Negrete McLeod
Assemblymember Fabian Nunez
Assemblymember Robert Pacheco
Assemblymember Nicole Parra

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 6, 2003

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Runaway Production:

Assemblymember Rebecca Cohn
Assemblymember Tom Harman
Assemblymember Paul Koretz
Assemblymember Cindy Montanez
Assemblymember Tony Strickland
Assemblymember Leland Yee
Speaker Herb J. Wesson, Jr.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 6, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Harry Armstrong
to Hazardous Waste Appeal Board

Dear Mr. Wilson: Please be advised I have appointed Councilmember Harry Armstrong to the Hazardous Waste Appeal Board. This is a term appointment starting November 6, 2003 and the expiration date is November 6, 2007. Councilmember Armstrong will be replacing Councilmember Mac Dube.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 6, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Ernest Hamilton
to California Governor's Committee on
Employment of People with Disabilities

Dear Mr. Wilson: Please be advised I have appointed Mr. Ernest Hamilton to the California Governor's Committee on Employment of People with Disabilities. This is a pleasure appointment starting November 6, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 6, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of James Rosser
to Regents Selection Advisory Committee

Dear Mr. Wilson: Please be advised I have appointed Dr. James Rosser to the Regents Selection Advisory Committee. This is a term appointment starting November 6, 2003 and the expiration date is November 6, 2006. Dr. Rosser will be replacing Mr. Jose Huizar.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 6, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Kenneth Sim
to Stem Cell Research Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Dr. Kenneth Sim to the Stem Cell Research Advisory Panel. This is a pleasure appointment starting November 6, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 12, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Victor Law
to Board of Behavioral Sciences

Dear Mr. Wilson: Please be advised I have appointed Mr. Victor Law to the Board of Behavioral Sciences. This is a term appointment starting November 17, 2003 and the expiration date is June 1, 2007. Mr. Law will be replacing Mr. Roberto Quiroz.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 13, 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 made the following committee changes effective immediately:

Assemblymember Sharon Runner to replace Assemblymember Patricia Bates as Vice Chair of the Appropriations Committee. Assemblymember Bates will remain as a member of the committee.

Assemblymember Tony Strickland to replace Assemblymember Tim Leslie as Vice Chair of the Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee. Assemblymember Leslie will remain as a member of the committee.

Assemblymember Rick Keene will replace Assemblymember John Campbell as Vice Chair of the Assembly Budget Committee. Assemblymember Campbell will remain as a member of the committee.

Assemblymember Alan Nakanishi will replace Assemblymember George Plescia as Vice Chair of the Assembly Education Committee.

Assemblymember George Plescia will replace Assemblymember Tony Strickland as Vice Chair of the Assembly Governmental Organization Committee. Assemblymember Strickland will remain on the committee replacing Assemblymember Kevin McCarthy.

Assemblymember Todd Spitzer will replace Assemblymember Robert Pacheco as Vice Chair of the Assembly Health Committee. Assemblymember Robert Pacheco will remain on the committee replacing Assemblymember Kevin McCarthy.

Assemblymember Robert Pacheco will replace Assemblymember Alan Nakanishi as Vice Chair of the Assembly Higher Education Committee. Assemblymember Nakanishi will remain on the committee replacing Assemblymember Tony Strickland.

Assemblymember Robert Benoit will replace Assemblymember Ken Maddox as Vice Chair of the Assembly Insurance Committee. Assemblymember Maddox will remain as a member of the committee.

Assemblymember Tim Leslie will replace Assemblymember Rick Keene as Vice Chair of the Assembly Water, Parks and Wildlife Committee. Assemblymember Keene will remain as a member of the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 18, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Change of Alternates to California Coastal Commission

Dear Mr. Wilson: Please be advised I have confirmed Ms. Amanda Susskind to serve as the alternate for Commissioner William Patrick Kruer and Ms. Maria Elena Durazo to serve as the alternate for Commissioner William Burke on the California Coastal Commission. These pleasure appointments are effective November 18, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 18, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Yong Tai Lee
to Delivery and Provision of Emergency Medical Services Task Force

Dear Mr. Wilson: Please be advised I have appointed Dr. Yong Tai Lee to the Delivery and Provision of Emergency Medical Services Task Force. This is a pleasure appointment starting November 18, 2003.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

November 19, 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 Assemblymember George Plescia to replace Assemblymember Kevin McCarthy on the Assembly Budget Committee for the 2003–04 Regular Session.

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:

October 29, 2003

Dotson Wilson
Assembly Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: I respectfully decline the increase in the standard per diem rate. Please consider this request retroactive, effective beginning September 17, 2003.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact Jennifer Teel in my Capitol Office.

Sincerely,

PATRICIA C. BATES, Assembly Member
Seventy-third District

October 29, 2003

Mr. Dotson Wilson
Assembly Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Please be advised that I wish to decline the increase in the per diem rate that was recently approved by the State Board of Control. Until the State of California's financial crisis is resolved, I feel it is inappropriate to accept this increase.

Thank you for your assistance.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

October 31, 2003

Herb J. Wesson, Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Subject: Per Diem Increase Refusal

Dear Speaker Wesson: I respectfully request that I not receive the per diem increase scheduled for this second year of the 2003–04 legislative session. Given the current condition of our state's finances, and the troubles faced by my constituents, I do not feel that it is appropriate that elected officials receive a raise at this time.

Thank you for your assistance with this matter. I may be reached at (916) 319-2030 if you have any questions.

Sincerely,

NICOLE M. PARRA, Assembly Member
Thirtieth District

November 6, 2003

Dotson Wilson
Assembly Chief Clerk
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: I write to inform you that I wish to decline the recently approved increase in per diem.

This request is effective as of September 17, 2003, the date the new rate went into effect.

Thank you for your time and attention.

Sincerely,

ABEL MALDONADO, Assembly Member
Thirty-third District

November 17, 2003

Dotson Wilson
Assembly Chief Clerk
State Capitol, Room 3196
Sacramento, California

RE: Decline Increase in Per Diem Rate

Dear Mr. Wilson: I understand the State Board of Control has adopted a new standard per diem rate effective September 17, 2003. I respectfully decline the increase in the per diem rate back to the effective date.

If you need any further information, please don't hesitate to contact me.

Sincerely,

JOHN LAIRD, Assembly Member
Twenty-seventh District

November 19, 2003

Mr. E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Mr. Wilson: Please be advised that the Assembly Committee on Rules met on November 18, 2003, and approved the following administrative item:

- 2004 Assembly Holiday Schedule (Approve 7-0)

Please ensure that this action is printed in the Assembly Daily Journal.

Sincerely,

JOE NATION
Chair

2004 ASSEMBLY HOLIDAY SCHEDULE

The following are *proposed* holidays to be observed by the Assembly in 2004:

MARTIN LUTHER KING, JR. DAY—Monday, January 19
 LINCOLN'S BIRTHDAY—Monday, February 16
 WASHINGTON'S BIRTHDAY—Monday, February 23
 CESAR CHAVEZ DAY—Monday, March 29
 MEMORIAL DAY—Monday, May 31
 INDEPENDENCE DAY—Monday, July 5
 LABOR DAY—Monday, September 6
 COLUMBUS DAY—Monday, October 11
 VETERANS DAY—Thursday, November 11
 THANKSGIVING—Thursday and Friday, November 25 and 26
 WINTER HOLIDAY—Thursday and Friday, December 23 and 24
 NEW YEAR HOLIDAY—Thursday and Friday, December 30 and 31

In addition, the Rules Committee has authorized Assembly employees to take two personal holidays at anytime during the year with the approval of the member.

The following communications were presented by the Chief Clerk from:

Diana M. Bonta, R.N., Dr. P.H. Director, Department of Health Services, dated October 30, 2003, letter of transmittal regarding the appropriation of funds to implement the beach safety/water quality monitoring provisions (required pursuant to Assembly Bill 411, Chapter 765, Statutes of 1997). Referred by the Speaker to the Committees on Environmental Safety and Toxic Materials and Local Government.

William Ahern, Executive Director, Public Utilities Commission, dated November 14, 2003, relative to a delay in submitting a report regarding Senate Bill (SB) 960 Section 13 Report (required pursuant to Senate Bill 960, Chapter 856, Statutes of 1996). Referred by the Speaker to the Committee on Utilities and Commerce.

The following communications were presented by the Chief Clerk 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 initiatives, pursuant to Section 9007, Elections Code:

**Campaign Financing. Oil Severance Tax.
 Initiative Statute. SA 2003RF0044**

Referred by the Speaker to the Committees on Elections, Redistricting and Constitutional Amendments and Revenue and Taxation.

**Emergency and Medical Services. Funding. Telephone Surcharge.
 Initiative Constitutional Amendment and Statute. SA 2003RF0043**

Referred by the Speaker to the Committee on Health.

**Parental Notification Prior to Termination of Minor's Pregnancy.
 Initiative Constitutional Amendment and Statute. SA 2003RF0038**

Referred by the Speaker to the Committee on Judiciary.

**Preferential Voting. Terms of Office. Redistricting.
Initiative Constitutional Amendment. SA 2003RF0028, Amdt. #1-S**

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

**Elections. Primaries.
Initiative Constitutional Amendment and Statute.
SA 2003RF0031, Amdt. #1-S**

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

**State Revenue and Expenditures.
Initiative Statute. SA 2003RF0034**

Referred by the Speaker to the Committee on Budget.

**Mental Health Services Expansion and Funding.
Tax On Incomes Over \$1 Million
Initiative Statute. SA 2003RF0036**

Referred by the Speaker to the Committees on Health and Revenue and Taxation.

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 Amendments To Health Care Coverage Requirements.
SA 2003RF0049**

Referred by the Speaker to the Committee on Health.

REPORTS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-106
October 15, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning California's state mandate process and local entity claims submitted under the Peace Officers Procedural Bill of Rights (peace officer rights) and animal adoption mandates. This report concludes that the costs for both mandates are significantly higher than what the Legislature initially expected. In addition, we found that the local entities we reviewed claimed costs under the peace officer rights

mandate for activities that far exceeded the Commission on State Mandates' (Commission) intent. Further, claimants under both mandates lacked adequate supporting documentation and made errors in calculating costs claimed.

The problems we identified highlight the need for some structural reforms of the mandate process. Specifically, the mandate process does not afford the State Controller's Office the opportunity to perform a field review of the first set of claims for new mandates early enough to identify potential claiming problems. In addition, the Commission could improve its reporting of statewide cost estimates to the Legislature by disclosing limitations and assumptions related to the claims data it uses to develop the estimates. Finally, Commission staff have indicated that the Commission will not be able to meet the statutory deadlines related to the mandate process for the foreseeable future due to an increase in caseload and cutbacks in staffing.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Local Government.

California State Auditor

2003-107
November 6, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits (bureau) presents its audit report concerning the State's process for identifying, assessing, and overseeing categorical programs.

This report concludes that the extensive number and breadth of categorical programs challenges the State's ability to reform and oversee them. For purposes of this audit, we defined "categorical funding" broadly so that we could identify allocations made by the California Department of Education (CDE) and the State Controller's Office (SCO) for programs providing funding over and above the basic funding provided to local education agencies (LEAs), typically referred to as revenue limit funding. Categorical funding is far-reaching. For fiscal year 2001-02, the CDE and the SCO disbursed roughly \$17 billion to various recipients for 113 categorical programs. In addition, for five of these categorical programs, the State delayed CDE's authority to allocate funding totaling \$867 million until fiscal year 2002-03.

Legislation enacted in September 2000, aimed at categorical reform, required CDE to establish the Pilot Project for Categorical Education Program Flexibility (pilot project). The purpose of the pilot project was to allow school districts to focus on their particular program needs rather than spending funds according to the various categorical programs' guidelines. However, CDE did not give guidance or direction to participating districts and did not take sufficient steps to implement the pilot project, failing to follow recommendations of the project's

advisory group and of state law. With the pilot project abandoned, the State has lost valuable information to guide its reform of categorical programs.

Other recent proposals typically call for consolidating a group of categorical programs into block grants, but as of September 2003, California has yet to implement any of these proposals. Thus, California has ample opportunity to ensure that block grant proposals include factors such as whether there are any legal restraints on consolidating programs and ensure that the State continues to meet its obligations under both state and federal constitutions and federal law.

Further, CDE's allocation of categorical program funding needs improvement. For example, CDE may not have accurately calculated allocation amounts in accordance with state law for three programs, partly because state law does not specifically define the average daily attendance figures it should use. Finally, despite concerns the bureau raised in January 2000 about CDE's oversight methods, CDE has yet to implement fully the bureau's recommendations aimed at strengthening the department's oversight.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Education.

REPORTS

The following reports were presented by the Chief Clerk:

**Franchise Tax Board Daily Compound Interest Rate Table
from 1/1/2004 through 6/30/2004
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Section, Franchise Tax Board-Economic and Statistical Research Bureau, dated August 25, 2003, referred by the Speaker to the Committee on Revenue and Taxation.

**Race, Ethnicity, and Gender in Contracting and Procurement
for the period July 1, 2002 through June 30, 2003
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated October 22, 2003, referred by the Speaker to the Committee on Business and Professions.

**Renewable Energy Generation Projects Report
(Pursuant to Assembly Bill 29, Chapter 8, Statutes of 2001
First Extraordinary Session)**

Above transmitted report, together with letter of transmittal from William J. Jefferds, Ed.D., Director, Department of General Services, dated November 3, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Contracting Report, Consulting Services, Fiscal Year 2002-2003
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Corrections, dated October 27, 2003, referred by the Speaker to the Committee on Business and Professions.

**Annual Report to the State Legislature—
2003 Surplus Proprietary Lands
(Pursuant to Government Code Section 11011)**

Above transmitted report, together with letter of transmittal from William J. Jefferds, Ed.D., Director, Department of General Services, dated October 30, 2003, referred by the Speaker to the Committee on Business and Professions.

**2002–03 California State University (CSU)
Appropriation Balance (As of June 30, 2003)
(Pursuant to Budget Act 2003, Item 6610-490)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated October 1, 2003, referred by the Speaker to the Committee on Budget.

**Review of Cost Factors Associated with
the Expansion of Therapeutic Behavioral Services (TBS)
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 4440-101-0001)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated October 7, 2003, referred by the Speaker to the Committee on Budget.

**California Lottery Purchase Orders
through the Department of General Services
and Contracts Awarded More Than 100,000 for
the 2002–03 Fiscal Year
(Pursuant to Government Code Section 8880.56 (b), (5))**

Above transmitted report, together with letter of transmittal from Anthony S. Molica, Chief Executive Officer, California Lottery, dated October 6, 2003, referred by the Speaker to the Committee on Governmental Organization.

**California State Controller's Report of
the 250 California Special Districts with the Largest Revenues
for the 2001–02 Fiscal Year
(Pursuant to Senate Bill 282, Chapter 288, Statutes of 2001)**

Above report referenced in communication from Walter Barnes, Chief Deputy Controller, Finance, dated October 7, 2003, stating availability of report at Controller's website. Referred by the Speaker to the Committee on Local Government.

**Department of Corporations
Investment and Lending Fraud Pilot Program
Update to April 1 Report—September 1, 2003
(Pursuant to Supplemental Report of the 2002 Budget Act)**

Above transmitted report, together with letter of transmittal from Janice Lumsden, Deputy Commissioner and Chief Financial Officer, Department of Corporations, dated September 5, 2003, referred by the Speaker to the Committee on Budget.

**Consultant Services Contracts Annual Report FY 2002–03
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated October 3, 2003, referred by the Speaker to the Committee on Education.

**Quarterly Report to the Legislature Concerning
the Renewable Energy Program
(July 1, 2003 through September 30, 2003)
(Pursuant to Public Utilities Code, Article 5, Section 445(g))**

Above transmitted report, together with letter of transmittal from John L. Geesman, Commissioner and Presiding Member, Renewables Committee, California Energy Commission, dated October 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Penalty Payments in Excess of \$1,000.00
(Pursuant to Government Code Section 926.19(e))**

Above transmitted report, together with letter of transmittal from William J. Jefferds, Ed.D., Director, Department of General Services, dated October 30, 2003, referred by the Speaker to the Committee on Business and Professions.

**California Housing Finance Agency's
2002–2003 Annual Report
(Pursuant to Health and Safety Code Section 51005)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, dated October 31, 2003, referred by the Speaker to the Committee on Housing and Community Development.

**Special Repair Projects
(Pursuant to Supplemental Report of the 2000 Budget Act
Item 5240-001-0001)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated October 9, 2003, referred by the Speaker to the Committee on Budget.

**Commercial Salmon
Trollers Enhancement and Restoration Program
Annual Report to the Legislature
(Pursuant to Fish and Game Code Section 7862)**

Above transmitted report, together with letter of transmittal from Robert C. Hight, Director, Department of Fish and Game, dated October 14, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Annual Audited Financial Statements and Reports of
the Golden State ScholarShare College Savings Trust and
the Governor's Scholarship Programs
(Pursuant to Education Code Sections 69989 and 6996(f))**

Above transmitted report, together with letter of transmittal from Carrie Douglas Fong, Executive Director, ScholarShare Investment Board, dated September 30, 2003, referred by the Speaker to the Committee on Higher Education.

**Stakeholder Briefing Draft of the California Water Plan—
Update 2003**

Above transmitted report, together with letter of transmittal from Michael J. Spear, Interim Director, Resources Agency, dated October 8, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Board of Forestry and Fire Protection 28th Annual Report
(Pursuant to Public Resources Code Section 4515)**

Above transmitted report, together with letter of transmittal from Andrea E. Tuttle, Director, Department of Forestry and Fire Protection, dated October 17, 2003, referred by the Speaker to the Committee on Natural Resources.

**Audit Report
on the Public Utilities Transportation Rate Fund for
the Fiscal Year 2001–02
(Pursuant to Public Utilities Code Section 5012)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated August 26, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**California Sex Offender Information—Megan’s Law
(Pursuant to Penal Code Section 290.4(m))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated October 17, 2003, referred by the Speaker to the Committee on Public Safety.

**Recommended Best Design Practices for
All New Public Schools Report
(Pursuant to Senate Bill 284, Chapter 3, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Robert Pernell, Commissioner and Presiding Member, Efficiency Committee, California Energy Commission, dated October 14, 2003, referred by the Speaker to the Committee on Higher Education.

**California State Lottery Fund:
Financial Statements, June 30, 2003
(With Independent Auditor’s Report Thereon)
(Pursuant to Government Code Section 8880.43)**

Above transmitted report, together with letter of transmittal from Patricia Eberhart, Director, Finance and Administration Division, California Lottery, dated October 15, 2003, referred by the Speaker to the Committee on Governmental Organization.

**Disabled Veteran Business Enterprise Report
for Fiscal Year 2002–2003**

Above transmitted report, together with letter of transmittal from Jennifer Burkhart, Procurement Analyst, California Unemployment Insurance Appeals Board, dated October 15, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2002–2003 Small Business
and Disabled Veteran Business Enterprise
Contract Participation Report and Program Plan**

Above transmitted report, together with letter of transmittal from Deborah Brady, Chief Deputy Director, Office of Stephen P. Teale Data Center, dated October 20, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Report on Disabled Veteran Business Enterprise
Annual Report for Fiscal Year 2002–2003
(Pursuant to Military and Veterans Code Section 999.1)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated October 17, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**California Preliminary (CAP) Credential Program Report
(Pursuant to Assembly Bill 1242, Chapter 737, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Dr. Sam W. Swofford, Executive Director, Commission on Teacher Credentialing, dated October 21, 2003, referred by the Speaker to the Committee on Education.

**Consolidated Special Interest Plate Programs
Annual Report
(Pursuant to Senate Bill 1329, Chapter 163, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Steven Gourley, Director, Department of Motor Vehicles, dated October 21, 2003, referred by the Speaker to the Committee on Transportation.

**Interim Report:
Use of Design-Build for K–12 School Construction
(Pursuant to Assembly Bill 1402, Chapter 421, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated October 24, 2003, referred by the Speaker to the Committee on Business and Professions.

**2002–03 Disabled Veteran Business Enterprise (DVBE)
Contracting Activity Report**

Above transmitted report, together with letter of transmittal from Shamim Khan, Deputy Director, Department of Motor Vehicles, dated October 27, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**The Status of Telecommunications Competition in California.
Third Report for 2003
(Pursuant to Public Utilities Code Section 316.5)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated October 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2002 Federal Annual Report
Children's Health Insurance Program
(Pursuant to Assembly Bill 1126, Chapter 623, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Lesley Cummings, Executive Director, California Managed Risk Medical Insurance Board, dated October 24, 2003, referred by the Speaker to the Committee on Health.

**Certified Disabled Veteran Business Enterprise (DVBE) and
Small Business Contracting Activity Reports From:**

Alcoholic Beverage Control
Larry Mills, Fiscal Officer, dated 7/8/03

Department of Financial Institutions
Anna Yee, Business Services Officer, dated 7/14/03

Consumer Affairs, Business Services Office
Maureen Moss, SB/DVBE Advocate, dated 8/8/03

14th District Agricultural Association, Food and Agriculture
Department
Yvette Jordan, Deputy Manager, dated 8/22/03

Managed Risk Medical Insurance Board
Gina Van Nes, Business Services Officer, dated 8/28/03

California Science Center
Lisa Mulvey, Contracts Analyst, dated 9/2/03

Department of Toxic Substances Control
Gary Pender-Bey, Purchasing Officer, dated 9/18/03

Department of Corporations
Frederick Topete, Chief, Business Operations and Program Support,
dated 10/23/03

Above transmitted reports, together with letters of transmittals referred by the Speaker to the Committee on Utilities and Commerce.

**Feasibility of Implementing Dynamic Pricing in California
(Pursuant to Senate Bill 1976, Chapter 850, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Arthur H. Rosenfeld, Commissioner and Presiding Member, Demand Response Committee, California Energy Commission, dated October 30, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Reports of Waiver Activity
January 2001–December 2001 and
January 2002–December 2002
(Pursuant to Education Code Sections 33050–33053)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated October 31, 2003, referred by the Speaker to the Committee on Education.

**California Gang, Crime and Violence Prevention Partnership Program
(Pursuant to Penal Code Section 13825.3(f))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated October 31, 2003, referred by the Speaker to the Committee on Public Safety.

**Information Collection, Research, and Monitoring. A Report on the Status of
Forest and Rangeland Research
(Pursuant to Public Resources Code Section 4789.6)**

Above transmitted report, together with letter of transmittal from Andrea E. Tuttle, Director, Department of Forestry and Fire Protection, referred by the Speaker to the Committee on Natural Resources.

**Crime in California—2002
(Pursuant to Penal Code Section 13010 (g))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated November 5, 2003, referred by the Speaker to the Committee on Public Safety.

**Consulting Services Contract Report
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated November 5, 2003, referred by the Speaker to the Committee on Business and Professions.

**Veteran's Farm and Home Building Fund of 1943 and
the Veteran Debenture Revenue Fund Financial Statements for
the Years Ended June 30, 2003 and
2002 Independent Auditors' Report
(Pursuant to Provisions of Several Veterans Bond Acts)**

Above transmitted report, together with letter of transmittal from K. Maurice Johannessen, Secretary, Department of Veterans Affairs, dated November 7, 2003, referred by the Speaker to the Committee on Veterans Affairs.

**Executive Report on Parole Review Decisions
(for the Period January 1, 2003 to and including November 14, 2003)
(Pursuant to Article V, Section 8(b), of the California Constitution)**

Above transmitted report, together with letter of transmittal from Gray Davis, Governor, Governor's Office of Legal Affairs, referred by the Speaker to the Committee on Public Safety.

**Legislative Analyst's Office Assessment Between the
California Department of Child Services, Or Local Child Support Agencies,
and Local District Attorney's Offices to Provide Child Support Collection
(Pursuant to Senate Bill 542, Chapter 480, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Legislative Analyst's Office, dated September 26, 2003, referred by the Speaker to the Committee on Judiciary.

**Implementing Public Authorities and Nonprofit Consortia
to Deliver In-Home Supportive Services
(Pursuant to Senate Bill 1780, Chapter 206, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from Rita Saenz, Director, Department of Social Services, dated October 10, 2003, referred by the Speaker to the Committee on Human Services.

**Crisis Intervention for Persons with Developmental Disabilities
(Pursuant to Senate Bill 1038, Chapter 1043, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated October 6, 2003, referred by the Speaker to the Committee on Human Services.

**2003 Evaluation
of People with Developmental Disabilities Moving from
Developmental Centers into the Community
(Pursuant to Lanterman Act Section 4418.1)**

Above transmitted report, together with letter of transmittal from Dorothy M. Place, Ph.D., Project Director, California State University, dated July 1, 2003, referred by the Speaker to the Committee on Human Services.

**Nonpoint Source Pollution Related Reports
1. Annual Assessment report (July 2001 through June 2002)
2. Semi-Annual Progress Report (January through June 2002)
3. Semi-Annual Progress Report (July through December 2002)
4. Semi-Annual Progress Report (July through December 2001)
(Pursuant to the Federal Clean Water Act and
the Coastal Zone Act Reauthorization Amendments of 1990)**

Above transmitted reports together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 17, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Study of the Incidence Adjustment in the
Special Education Funding Model
(Pursuant to Senate Bill 1564, Chapter 330, Statutes of 1998)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated November 6, 2003, referred by the Speaker to the Committee on Budget.

**A Review of the Department of Transportation's
Storm Water Management Program
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 2660-007-0042)**

Above transmitted report, together with letter of transmittal from Kathryn Radtkey-Gaither, Deputy Director, Operations, Department of Finance, dated November 10, 2003, referred by the Speaker to the Committee on Budget.

**Department of Corporations Continuation of Fee Reductions
(Pursuant to Senate Bill 742, Chapter 118, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Janice Lumsden, Deputy Commissioner and Chief Financial Officer, Department of Corporations, dated October 27, 2003, referred by the Speaker to the Committee on Budget.

**Quarterly Hazardous Waste Fee Revenue Report
July 1, 2003 through September 30, 2003
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Timothy W. Boyer, Interim Executive Director, Board of Equalization, dated November 12, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**The Power Plant Performance Review Program
(Pursuant to Supplemental Report of the 2002 Budget Act
(Chapter 379, Statutes of 2002))**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated November 18, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**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 Associate Member Renewables Committee, California Energy Commission, dated November 20, 2003, referred by the Speaker to the Committee on Natural Resources.

**Consulting Services Contract Fiscal Year 2002–2003
(July 1, 2002 through June 30, 2003)
(Pursuant to Public Contract Code Section 10359)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated November 18, 2003, referred by the Speaker to the Committee on Business and Professions.

**Report on Administrative Civil Liability Assessments
(Pursuant to Water Code Section 13350(k))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 14, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Calendar Year 2002
Storm Water Enforcement Actions Related to
Non-Submittal of Annual Reports and Failure to Obtain a Permit
(Pursuant to Water Code Section 13399.39)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 14, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Development of Reliable, Rapid, and Affordable Diagnostic Tests
for Measuring Bacterial Indicators in Coastal Waters
(Pursuant to Assembly Bill 639, Chapter 502, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 14, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Report on Regulatory Steps Needed to
Protect and Conserve Wetlands Not Subject to the Clean Water Act
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 3940-001-0001)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 14, 2003, referred by the Speaker to the Committee on Budget.

**Underground Storage Tank Cleanup Fund Program
(Pursuant to Health and Safety Code Section, Chapter 6.75,
Article 9, Section 25299-81(d))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 13, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**California Beach Closure Report 2002
(Pursuant to Health and Safety Code Section 115910)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated November 14, 2003, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2002–2003 Race, Ethnicity, and Gender in Contracts
(Pursuant to Assembly Bill 1084, Chapter 882, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from David Nahigian, Chief, Business Management, Business Management Unit, Department of Managed Health Care, dated October 27, 2003, referred by the Speaker to the Committee on Business and Professions.

**Non-Industrial Timber Management Plan (NTMP)
(Pursuant to Senate Bill 1566, Chapter 1290, Statutes of 1989)**

Above transmitted report, together with letter of transmittal from Andrea E. Tuttle, Director, Department of Forestry and Fire Protection, referred by the Speaker to the Committee on Natural Resources.

**October 31, 2003 Report of Estimated Proposition 98 Savings
Available for Reversion by June 2004
(Pursuant to Assembly Bill 1765, Chapter 157, Statutes of 2003
Item 6110-001-0001)**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated November 14, 2003, referred by the Speaker to the Committee on Budget.

**Strategic Plan for An Aging California Population—
Getting Ready for the “Baby Boomers”
(Pursuant to Senate Bill 910, Chapter 948, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Grantland Johnson, Secretary, Health and Human Services Agency, dated November 18, 2003, referred by the Speaker to the Committee on Aging and Long-Term Care.

**Governor’s Environmental Goals and Policy Report (EGPR)
(Pursuant to Assembly Bill 857, Chapter 1016, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Tal Finney, Interim Director, Governor’s Office of Planning and Research, dated November 14, 2003, referred by the Speaker to the Committee on Local Government.

The following communications were presented by the Chief Clerk:

From Tricia Knight, Initiative Coordinator, Department of Justice, dated November 14, 2003, transmitting copies of the ballot title and summary and ballot labels, in accordance with Chapter 147, Statutes of 1998 (SB 1505), and the provisions of Elections Code sections 9050–9051, 13247, 13281–13282, and Government Code sections 88002–88003.

**Proposition 55
Kindergarten–University Public Education Facilities Bond Act of 2004.
Chapter 33, Statutes of 2002 (AB 16).**

Referred by the Speaker to the Committees on Education and Elections, Redistricting and Constitutional Amendments.

**Proposition 56
State Budget, Related Taxes, and Reserve.
Voting Requirements. Penalties.
Initiative Constitutional Amendment and Statute.**

Referred by the Speaker to the Committees on Budget and Elections, Redistricting and Constitutional Amendments.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
November 18, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby designate Richard Costigan, Cynthia Bryant, Pamela Oto, and Jamey Tak on my staff who may sign for enrolled bills pursuant to Section 9509 of the Government Code.

Thank you for your attention to this matter.

Sincerely,

ARNOLD SCHWARZENEGGER

**ASSEMBLY COMMITTEE INTERIM HEARINGS
INTERIM STUDY RECESS**

Thursday, October 9, 2003

Select Committee on Lesbian, Gay, Bisexual and Transgender Families, at 6 p.m., in San Francisco

Friday, October 10, 2003

Select Committee on Water Management, Storage, Conservation and Supply, at 12 p.m., in Downey City Council Chambers

Thursday, October 16, 2003

Veterans Affairs, at 9 a.m., in Bakersfield

Wednesday, October 22, 2003

Business and Professions, at 9 a.m., at the Hall of Administration, in Santa Ana

Friday, October 24, 2003

Labor and Employment, at 10 a.m., at the UCLA Labor Center, Los Angeles

Tuesday, October 28, 2003

Water, Parks and Wildlife, at the Contra Costa Water District Headquarters, in Concord

Select Committee on National Defense, Technology and Jobs, at 10 a.m., in Bakersfield

Select Committee on California Children's School Readiness and Health, in the State Building, Oakland

Wednesday, October 29, 2003

Select Committee on Earthquake Safety and Preparedness, at 10 a.m., in Fremont

Select Committee on Prison Construction and Operations, at 10 a.m., in Sacramento

Thursday, October 30, 2003

Select Committee on California Children's School Readiness and Health, at the Bravo Medical Magnet, Los Angeles

Select Committee on California Wine to convene jointly with the Senate Select Committee on California's Wine Industry, at 9:30 a.m., at the American Center for Wine, Food and the Arts, in Napa

Friday, October 31, 2003

National Defense, Technology and Jobs, at 9 a.m., in San Diego

Monday, November 3, 2003

Joint Committee on the Arts, at 10 a.m., at the Dorothy Chandler Pavilion, in Los Angeles

Wednesday, November 5, 2003

Revenue and Taxation Committee to convene jointly with the Jobs, Economic Development and the Economy Committee, at 1:30 p.m., in Room 126

Aging and Long Term Care, at 9:30 a.m., at the Brea City Council Chamber

Select Committee on National Defense, Technology and Jobs, in the Capitol

Thursday, November 6, 2003

Select Committee on Community Colleges, at the San Bernardino Valley College, in San Bernardino.

Friday, November 7, 2003

Select Committee on King Drew Medical Center, at the Drew/King Magnet School, in Los Angeles

Saturday, November 8, 2003

Select Committee on Mobile Homes to convene jointly with the Senate Select Committee on Mobile and Manufactured Homes, at 9 a.m., in the Santa Clara County Board of Supervisor's Chambers, in San Jose

Monday, November 10, 2003

Insurance Committee, at 10 a.m., at the County Administration Center, in San Diego

Wednesday, November 12, 2003

Elections, Redistricting and Constitutional Amendments, in the Capitol

Natural Resources to convene jointly with the Committee on Jobs, Economic Development and the Economy, at the conference center of the California State University Channel Islands, in Ventura

Aging and Long-Term Care, at 1:30 p.m., at the Humboldt County Board of Supervisor's Chambers, in Eureka

Select Committee on Community Colleges, at the Southwestern College, in Chula Vista

Saturday, November 15, 2003

Select Committee on Bridging the Achievement Gap, at 10 a.m., at the Stanley Middle School, in Lafayette

Thursday, November 18, 2003

Select Committee on Gang Violence and Juvenile Crime, at 10 a.m., at the James West Alumni Center at the University of California Los Angeles

Wednesday, November 19, 2003

Select Committee on Adult Education, at 12:30 p.m., at the Community Education Center in Pasadena City College

Friday, November 21, 2003

Select Committee on California Horse Racing Industry, at 2:30 p.m., at the Hollywood Park Racetrack

Select Committee on the I-5/7-10 Expansion, at 1:30 p.m., in Sacramento

Tuesday, November 25, 2003

Select Committee on Megan's Law and Sex Offender Registration, at 9:30 a.m., at the San Jose City Council Chambers

Monday, December 1, 2003

Select Committee on Gun Violence, at 10 a.m., in West Hollywood

Tuesday, December 2, 2003

Joint Legislative Sunset Review Committee, at 9:30 a.m., in Room 4203

Arts, Entertainment, Sports, Tourism and Internet Media, at 10 a.m., at the Children's Discovery Museum, in San Jose

Wednesday, December 3, 2003

Local Government Committee, at 9 a.m., in Room 126

Joint Legislative Sunset Review Committee, at 9 a.m., in Room 4203

Thursday, December 4, 2003

Select Committee on Prison Construction and Operations, at 11 a.m., in Bakersfield

Friday, December 5, 2003

Select Committee on Elder Abuse, at 1 p.m., at the Santa Clara County Board of Supervisors Chambers

Tuesday, December 9, 2003

Select Committee on Hate Crimes, at 10 a.m., in Orange County

Wednesday, December 10, 2003

Select Committee on Elder Abuse, at 1 p.m., at the Santa Cruz Council Chambers

Select Committee on Rural Economic Development, at the City Council Chambers, in Greenfield

Veterans Affairs, at 10 a.m., in Room 126

Friday, December 12, 2003

Jobs, Economic Development and the Economy, at 10:30 a.m., in the Los Angeles, Science Center

Thursday, December 18, 2003

Select Committee on Privacy, at 2 p.m., in the City of Palo Alto Council Chambers

STATEMENT OF ASSEMBLY EXPENDITURES PRINTED IN JOURNAL

The following Statement of Assembly Expenditures was ordered printed in the Journal:

The Honorable Herb J. Wesson, Jr.

Speaker of the Assembly

State Capitol, Sacramento, California

Dear Mr. Speaker: Transmitted herewith is the annual report of Assembly expenses. It includes the total expenditures by Member, committee, leadership office, service operation, and overhead according to various categories for the 12-month period ending November 30, 2002. Every expenditure made from the Assembly Operating Fund during this period is accounted for. Additionally, the report includes an itemization, by Member, of per diem expenditures from the General Fund during the same period of time.

It is important to note that this report is compiled on a cash basis. Therefore, the cost of goods and services incurred by a Member during the preceding reporting period but paid for during the current period are included. Furthermore, some goods and services which were received toward the end of this reporting period were not paid for until the beginning of the December 2002–November 2003 reporting period and are, therefore, not included in this expenditure report.

The following indicates the types of expenditures which are included within each classification:

Staff Salary: This includes the salaries paid to all employees in the Member's district office as well as those employees who work in the Member's Capitol office, provided they are not committee or leadership office personnel. The salaries of the latter group of employees are included in the specific detail report for each of the respective committee and leadership offices.

All Assembly personnel are classified according to job descriptions approved by the Assembly Rules Committee. The committee has established specific salary ranges for each of the classifications. The salary within a range for a specific employee reflects a combination of years of service in his or her position and his or her own job performance since the amount of annual merit salary increases is based on evaluations of each employee's work. Thus, a Member whose office staff includes employees with substantial Assembly seniority, and/or outstanding records of service, will have a higher total expenditure for salaries than will a Member who employs more junior personnel.

Member Travel and Per Diem: Separate totals are shown for in-state travel and out-of-state travel. Most in-state travel expenditures are for attendance at interim committee hearings. Out-of-state travel expenditures are generally for participation in conferences dealing with an issue area pertinent to the legislative specialty of the Member or are for investigative trips.

Staff Travel: This category includes the expenditures incurred for the Capitol and district staff traveling for legislative business. It also includes mileage reimbursements to district office personnel. The staff travel expenditures reported by committee, are generally costs incurred in connection with interim committee hearings which are generally held away from Sacramento for the convenience of citizens who wish to provide testimony to the committees.

Car Lease: The amount reported in this category is the share of the automotive lease payment made by the Assembly Rules Committee. Assembly policy stipulates that a car will be leased for the legislative use of each Member but that the Assembly will pay only 90% of the monthly lease rate or \$400, whichever is less. The Member must pay the difference from personal funds.

Car Maintenance: The costs reported in this category will vary significantly because of the variance in the number of miles driven by the Members. Members in large-sized districts and Members who represent districts wherein air travel between the Capitol and the district is not practical tend to utilize their cars more than other Members. Accordingly, the maintenance costs of such cars is likely to be higher than for others.

Gas and Oil: Expenditures in this category are for gasoline and oil supplied to cars and private aircraft for legislative business. These costs, too, vary for the same reasons as those affecting car maintenance.

Car Rental, Staff and Member: This expenditure category includes the use of state-owned pool cars and commercial rental cars by both the Member and his/her staff in the course of legislative business.

This category, as listed in the Support Services section of the report, includes, in addition to car rental, the costs of gas, oil, and maintenance for cars utilized by the office of the Sergeant at Arms.

District Office Rent, Maintenance and Utilities: Each Member is entitled to rent an office within the district he/she represents so that constituents may have direct access to their legislators. In some of the larger districts, two or three offices are sometimes authorized. Accordingly, Members representing districts in high-rent metropolitan areas or Members representing large districts requiring more than one office will be reported with higher expenditures in this category than will other Members. Costs included in this expenditure item are rent, utilities (except telephone), janitorial service, and incidental maintenance costs.

Telephone and Telegraph: All telephone charges (except some equipment installation charges) are reported in this expenditure category. Included are the charges for district office phones, Capitol phones, and mobile phones. Members who will likely have higher charges than many of their colleagues are those representing districts which are either far from the Capitol, or in regions which cover large geographic areas.

Postage: The category includes the total amount expended for postage except for the postage utilized in the mailing of legislative mailings authorized under provisions of Proposition 73 of June 1988.

Communications: The costs included in this expenditure category are primarily for handling and mailing of legislative mailings authorized under provisions of Proposition 73 of June 1988.

Furniture and Equipment: This category includes the purchase, rental, and maintenance of certain furniture and equipment items utilized in the Capitol and district offices of the Members. It does not include the purchase of items which will, during the course of their usefulness, be utilized by a number of Members during succeeding years. Expenditures for items of that description are reported in the Furniture and Equipment category as General Overhead expenditures.

Office Supplies: Stationery items, other printing costs charged to the Assembly Operating Fund, general office supplies, and related miscellaneous supplies utilized in the Members' Capitol and district offices are reported in this expenditure category.

Subscriptions and Publications: Each Member is authorized to subscribe to the newspapers generally circulated within his/her district and to certain metropolitan daily newspapers. Members representing districts which include many cities and towns will frequently have higher expenditures in this category than will Members representing relatively compact areas. Expenditures for subscriptions and publications incurred by the committees and leadership offices are reported separately. Each committee is authorized to purchase relevant books and to subscribe to periodicals specializing in the subject matter of the committee for which the expenditure is made.

Miscellaneous Services: Most of the expenditures shown in the Miscellaneous Services category for the Members are for services such as telephone answering services in district offices and newspaper clipping services. Included in this category for the committee reports are such items as witness expenses, meeting expenses, data-processing costs, and other miscellaneous services.

A number of operational costs incurred by the Assembly are not directly attributable to any of the Members, committees, leadership offices, or support services. Such expenditures are classified as General Overhead and are reported according to the following categories:

Miscellaneous Salaries: Accrued vacation payments made to terminating employees, and salaries paid to employees on extended sick leave are reported in this category.

Employee Benefits: This expenditure category includes the Assembly's contribution to the OASDI (Social Security) fund, the Public Employees' Retirement System, various health, dental, vision, and life insurance premiums, the Compensation Insurance Fund, unemployment and disability insurance, and any other benefits approved by the Rules Committee.

Building, Rent, Maintenance and Utilities: Reported in this expenditure category are construction and remodeling costs and the rent, maintenance, and utilities for offices (other than Members' individual district offices) utilized and paid for by the Assembly outside the Capitol.

Telephone: This listing is for the cost of telephone equipment installation in all Assembly offices.

Furniture and Equipment: The expenditure indicated in this category is for the purchase, rental, and maintenance of furniture and equipment not reported elsewhere in the report. Most furniture and equipment is considered a capital investment which will be used, through the years, by a number of different Members or other offices and can therefore not be appropriately reported as an expense on behalf of any particular Member or office.

Office Supplies: The amount shown in this expenditure category represents office supplies which were purchased by the Assembly for the use of Members and other offices but which were not distributed to any such offices before the end of this reporting period.

Annotated Codes and Law Books: Each Member's office and certain other Assembly offices are furnished with Annotated California Codes and certain other law books. The cost of these books is

considered a capital expenditure in the same manner as many furniture and equipment items, and is therefore reported in this General Overhead category.

Meeting Expenses: This expenditure category includes certain costs incurred by the Assembly relative to the conduct of Assembly Sessions and Joint Sessions of the Legislature which cannot be readily charged to any other expenditure category, rental costs for some meeting rooms, and some conference registration fees.

Freight, Moving and Delivery: This expenditure category includes costs incurred for the transport of furniture, supplies, and other items which are not chargeable to any particular office.

Other Miscellaneous Services: The major expenditures reported in this category are for the costs of photography services related to official Assembly publications, vehicle liability insurance, and organization memberships.

Study Contracts: From time-to-time the Assembly finds it practical to contract with individuals, firms, universities, and other governmental agencies in order to expand its research capability with respect to specific projects. The costs reported in this category are for payments made under such contracts during this period.

The next report of Assembly expenditures will be for the period between December 1, 2002 and November 30, 2003.

Sincerely,

JOE NATION

Chairman of the Assembly Committee on Rules

TABLE I
CALIFORNIA STATE ASSEMBLY
SUMMARY OF EXPENDITURES
12/1/2001-11/30/2002

	Member Expenditures	Committee Expenditures	Leadership Expenditures	Support Services Expenditures	General Overhead Expenditures	TOTAL EXPENDITURES
Staff Salary	\$13,602,141.02	\$18,434,149.75	\$5,818,859.59	\$25,307,049.63	\$2,019,399.75	\$65,181,599.74
Employee Benefits	—	—	—	—	18,299,075.32	18,299,075.32
Travel & Per Diem (In-State)	454,535.57	—	—	—	—	454,535.57
Travel & Per Diem (Out-of-State)	94,711.91	—	—	—	—	94,711.91
Staff Travel	321,336.84	135,458.94	68,986.57	278,672.33	—	804,454.68
Car Lease	288,411.35	—	—	—	—	288,411.35
Car Maintenance	107,725.45	—	—	—	—	107,725.45
Gas & Oil	141,009.94	—	—	—	—	141,009.94
Car Rental—Staff & Member	26,314.89	26,213.91	6,727.96	121,538.97	395,424.37	180,795.73
Building, Rent, Maint., & Util.	2,712,775.59	—	—	—	524,336.36	3,108,199.96
Office Alterations	—	225,196.02	93,449.99	348,154.61	370,757.27	1,849,238.59
Telephone	811,680.70	—	—	—	—	811,680.70
Telegraph	—	—	—	—	—	0.00
Postage	260,443.73	3,134.91	528.12	21,885.33	—	285,992.09
Communications	3,387,032.08	—	—	—	—	3,387,032.08
Furniture & Equipment	99,632.29	—	—	—	—	99,632.29
Office Supplies	265,187.29	36,417.64	40,519.30	700,875.33	798,324.60	1,598,832.22
Subscriptions, Publ., & Codes	101,424.63	30,732.26	19,203.91	204,028.24	270,372.04	816,524.51
Meeting Expenses	—	—	—	100,529.26	3,035.85	254,925.91
Meeting Expenses (Meals)	—	—	—	—	3,022.34	3,022.34
Freight, Moving, & Delivery	87,215.67	1,205.10	1,111.28	30,060.80	40,387.06	40,387.06
Miscellaneous Services	330,463.01	339,153.35	62,168.98	3,176,077.98	1,333,479.52	274,670.92
Study Contracts	—	—	—	—	719,742.71	719,742.71
TOTALS, OPERATING FUND	\$23,092,041.96	\$19,231,661.88	\$6,111,555.70	\$30,288,872.48	\$24,932,435.26	\$103,656,567.28
Member Per Diem (General Fund)	2,029,284.00	—	—	—	—	2,029,284.00
TOTALS, ALL FUNDS	\$25,121,325.96	\$19,231,661.88	\$6,111,555.70	\$30,288,872.48	\$24,932,435.26	\$105,685,851.28

TABLE II A
Member Expenditures
12/1/2001-11/30/2002

Member	Staff Salary	Travel & Per Diem (In-State)*	Travel & Per Diem (Out-of-State)*	Staff Travel	Car Lease	Car Maintenance	Gas & Oil
Anestad.....	\$213,428.92	\$680.76	\$1,663.76	\$2,614.55	\$4,200.00	\$2,655.53	\$3,251.17
Alquist.....	199,177.03	322.25	—	2,472.31	4,200.00	1,586.20	1,586.20
Aronet.....	201,093.06	1,533.50	5,856.38	891.50	3,769.68	3,733.89	1,832.57
Ashburn.....	186,626.01	7,264.32	1,073.06	2,906.85	4,200.00	5,307.33	2,653.69
Bates.....	154,838.78	8,260.28	—	7,322.34	4,200.00	—	343.84
Bogh.....	146,762.14	8,873.53	786.63	8,698.34	4,200.00	718.92	2,642.66
Briggs.....	206,621.87	4,900.02	1,993.93	5,818.19	4,200.00	6,188.85	5,485.93
Calderon.....	213,510.05	8,499.50	1,481.55	1,703.76	4,143.25	762.37	2,191.67
Campbell, Bill.....	99,611.00	9,591.52	1,166.84	1,761.01	4,200.00	638.71	737.60
Campbell, John.....	150,148.79	9,425.76	—	5,220.56	—	—	1,399.76
Canciamilla.....	236,060.94	2,500.39	—	345.52	4,200.00	154.43	1,238.31
Cardenas.....	179,587.14	7,994.25	—	1,565.00	4,200.00	4,034.71	3,951.27
Cardoza.....	117,592.20	209.25	4,303.22	4,498.10	4,200.00	7,276.54	3,892.31
Cedillo.....	188,357.57	2,953.50	—	3,627.92	2,658.79	2,312.95	1,374.36
Chan.....	195,176.80	1,204.00	—	1,199.35	4,200.00	1,69.81	1,448.54
Chavez.....	165,790.94	12,001.29	—	373.00	4,200.00	874.22	2,913.35
Chu.....	192,733.95	7,873.00	1,277.84	6,952.96	2,782.08	7.50	946.17
Cogdill.....	166,254.69	656.78	—	12,392.44	4,200.00	1,143.35	3,292.43
Cohn.....	111,193.52	4,163.11	1,458.84	4,919.92	4,200.00	2,741.22	2,754.37
Corbett.....	158,503.99	4,336.00	—	4,790.11	3,942.60	2,334.93	2,261.71
Correa.....	141,949.51	8,521.50	—	5,111.87	2,270.88	350.49	1,565.47
Cox.....	129,525.85	1,458.39	1,077.49	3,827.06	—	120.25	1,376.98
Daucher.....	196,624.69	7,160.01	—	2,687.38	4,200.00	2,308.27	1,023.58
Diaz.....	169,673.94	767.00	1,895.14	2,343.60	4,200.00	363.98	2,620.16
Dickerson.....	191,207.14	523.00	1,765.26	8,777.73	4,019.28	1,261.61	2,304.56
Dutra.....	228,138.06	3,227.33	1,120.84	4,694.08	—	—	—
Firebaugh.....	191,596.26	13,081.50	4,548.28	4,332.53	4,116.20	824.77	2,993.46
Florez.....	174,124.50	4,050.50	1,294.45	9,635.29	3,500.28	2,078.37	2,370.85
Frommer.....	118,177.87	8,063.36	—	1,360.53	4,183.80	1,149.45	901.70
Goldberg.....	210,448.09	6,949.85	—	4,486.96	2,675.64	—	226.21
Goldberg.....	183,638.54	8,958.02	—	1,842.10	4,200.00	133.69	983.71
Harman.....	164,556.88	14,048.17	—	3,375.52	3,990.48	316.15	1,379.95
Havice.....	190,109.95	9,697.50	4,113.00	5,225.03	3,994.08	4,354.76	3,186.40
Hertzberg.....	59,109.95	8,261.28	—	4,935.14	4,200.00	912.68	2,381.02
Hollingsworth.....	190,769.91	9,900.50	—	3,615.02	4,200.00	53.82	992.15
Horton.....	211,959.22	9,900.50	—	3,615.02	2,005.99	2,005.99	1,097.39
Jackson.....	160,839.96	8,534.80	1,389.05	3,250.91	3,180.84	2,096.04	2,046.59
Keeley.....	207,573.21	910.43	826.50	5,375.24	3,887.76	—	—
Keheo.....	15,348.44	8,152.75	—	1,250.80	2,908.20	—	446.48

Kelley	230,142.01	7,125.25	—	6,693.22	4,200.00	115.50	905.67
Koretz	139,603.41	9,769.05	—	5,536.31	1,900.68	405.47	855.65
La Suer	222,612.00	5,104.28	—	7,149.96	3,556.56	1,097.52	1,862.36
Leach	157,812.85	259.26	—	2,447.03	4,800.00	1,188.56	1,613.78
Leonard	132,335.58	4,806.50	—	3,967.18	4,200.00	2,043.32	762.05
Leslie	201,336.41	1,632.14	1,177.79	5,999.28	4,200.00	1,616.64	1,039.58
Liu	111,272.92	9,265.74	—	4,947.03	—	24.96	685.91
Longville	222,596.82	8,058.25	1,389.05	3,101.05	4,090.56	257.31	823.19
Lowenthal	166,795.84	6,687.41	1,538.73	4,942.70	4,200.00	168.29	874.81
Maddox	169,325.95	9,034.02	1,700.76	4,366.59	4,200.00	485.38	2,180.10
Maldonado	138,230.88	7,649.66	—	1,773.20	4,200.00	1,221.32	1,372.04
Mathews	63,257.05	7,602.50	—	—	3,327.12	880.53	2,114.33
Migden	173,450.67	1,407.50	—	88.45	4,200.00	1,057.28	1,648.12
Mounjoy	146,109.00	5,951.02	1,606.84	186.50	4,200.00	226.40	2,276.93
Nakano	163,662.38	6,801.50	2,855.47	4,992.45	2,650.68	361.42	819.43
Naton	176,822.33	1,912.11	1,316.34	1,342.35	4,200.00	5.00	2,703.69
Negrete McLeod	153,956.22	10,580.89	2,623.19	3,609.27	4,134.36	60.77	605.17
Oropeza	184,196.73	8,350.89	2,501.28	552.94	3,850.56	5.00	759.77
Pacheco, Robert	218,637.00	6,686.75	1,048.84	3,982.08	4,200.00	460.82	2,456.97
Pacheco, Rod	174,821.02	8,684.50	—	1,582.60	4,200.00	4,511.77	2,552.60
Papan	231,710.70	3,791.04	1,068.70	2,896.29	4,200.00	2,503.67	2,358.77
Pavley	147,756.92	7,942.86	931.01	2,717.12	2,779.44	240.23	933.61
Pescetti	166,505.59	—	—	2,699.76	4,195.56	2,033.18	1,254.28
Reyes	132,225.30	868.00	—	2,744.43	4,200.00	1,996.36	2,747.86
Richman	129,388.09	7,783.78	—	5,224.22	4,200.00	285.16	1,241.99
Runner	172,466.74	7,794.00	1,144.46	3,203.35	4,200.00	1,704.31	2,712.90
Salinas	149,033.60	873.46	—	7,676.81	3,494.04	833.25	3,475.02
Shelley	99,901.64	3,736.31	—	1,908.86	4,200.00	612.93	1,870.33
Simittian	70,545.89	5,20.38	—	5,009.92	3,162.20	649.61	1,761.92
Steinberg	180,261.44	1,206.50	—	3,208.44	2,952.24	1,111.70	846.66
Streckland	130,041.75	7,383.27	1,386.05	13,493.93	3,954.75	797.94	2,396.22
Strom-Martin	218,920.44	4,645.78	1,254.59	3,398.08	3,605.76	755.00	1,720.18
Thomson	192,759.81	1,661.33	3,450.63	3,594.24	4,800.00	1,926.22	1,127.71
Thomson	230,187.64	6,463.75	—	2,414.58	4,200.00	581.56	3,278.77
Vargas	216,857.27	8,994.00	5,445.72	3,108.27	4,200.00	1,926.24	1,807.81
Washington	183,592.58	9,816.25	—	722.18	—	—	659.90
Wayne	139,839.30	13,957.62	11,742.99	10,397.55	4,200.00	1,007.74	603.81
Wesson	216,040.00	2,027.30	2,015.45	4,870.14	3,385.92	2,092.88	1,395.55
Wiggins	220,127.50	4,151.75	4,704.52	1,733.93	4,200.00	1,151.26	1,371.54
Wright	198,568.04	6,099.78	1,403.05	4,179.94	—	—	37.27
Wyland	208,918.89	5,836.28	1,325.92	9,992.78	3,716.08	4,824.19	3,238.81
Wyman	191,183.41	6,829.01	1,389.05	8,915.31	4,200.00	1,336.32	1,212.87
Zettel	—	—	—	—	—	—	—
TOTALS	\$13,602,141.02	\$454,555.57	\$94,711.91	\$321,336.84	\$288,411.35	\$107,725.45	\$141,009.94

NOTE: Asterisk (*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE II B
Member Expenditures
12/1/2001-11/30/2002

Member	Car Rental Staff & Member	Dist. Office Rent, Mnt., Ut.	Telephone	Telegraph	Freight	Postage	Communications
Aanestad	\$290.82	\$23,376.07	\$6,958.85	—	\$271.51	\$332.19	\$23,076.03
Alquist	—	1,627.30	9,925.95	—	1,176.57	1,643.85	9,934.23
Aroner	614.51	72,439.10	14,372.55	—	263.33	2,525.36	5,507.58
Ashburn	1,155.83	37,552.88	5,466.48	—	1,736.17	2,259.46	26,805.76
Bates	—	32,552.83	11,101.58	—	1,058.93	2,490.47	48,138.17
Bogh	402.22	30,671.84	8,232.70	—	639.58	4,104.96	69,659.18
Brog	124.55	39,211.11	11,804.44	—	588.29	22,570.46	29,472.30
Calderon	—	24,977.64	6,466.01	—	717.96	948.95	39,889.95
Campbell, Bill	116.35	40,503.63	4,678.28	—	1,625.54	1,681.68	59,574.51
Campbell, John	—	38,154.40	8,335.50	—	269.40	3,402.25	—
Canciamilla	560.32	52,552.85	13,443.27	—	1,633.54	3,346.68	23,868.44
Cardenas	1,251.55	43,271.13	13,308.59	—	2,226.49	5,030.27	75,948.40
Cardoza	349.59	43,511.84	15,632.66	—	1,032.41	465.30	—
Chan	—	1,497.50	8,867.55	—	1,472.56	4,950.98	38,752.44
Chavez	109.13	48,655.74	14,354.25	—	1,171.92	4,705.80	25,239.86
Chu	176.58	52,441.17	8,470.35	—	496.95	3,348.02	16,368.77
Cogdill	186.52	37,123.53	9,851.77	—	1,364.89	5,762.25	37,423.93
Cohn	207.11	76,684.13	9,858.88	—	637.15	1,792.88	77,036.21
Corbett	—	39,274.20	15,983.18	—	868.24	3,168.17	24,174.47
Correa	215.24	24,946.00	8,060.46	—	8,369.74	8,788.66	64,587.12
Cox	—	37,203.02	4,312.33	—	636.64	8,693.67	42,325.33
Daucher	240.28	32,421.30	4,795.94	—	720.19	2,897.45	49,245.33
Diaz	98.90	1,909.16	8,184.87	—	349.35	1,100.06	24,097.60
Dickerson	—	24,132.50	6,715.64	—	108.42	1,065.94	—
Dutra	—	34,807.82	12,183.31	—	295.25	2,140.92	—
Firebaugh	1,064.91	58,310.38	15,959.54	—	1,921.20	3,149.27	6,107.69
Florez	443.89	37,418.27	10,089.53	—	2,954.70	1,382.29	28,291.06
Frommer	—	34,487.60	10,162.42	—	1,005.36	2,878.08	101,750.12
Goldberg	233.95	34,109.40	8,629.35	—	624.35	1,224.34	21,094.30
Harman	—	38,670.53	7,442.54	—	734.55	1,970.84	40,502.32
Havice	2,106.24	40,926.39	11,958.90	—	1,972.94	3,885.96	50,392.93
Hertzberg	—	23,798.27	23,798.27	—	4,045.53	10,407.75	105,371.78
Hollingsworth	704.85	1,448.90	9,315.51	—	456.81	1,568.22	30,654.01
Horton	155.79	29,279.99	9,354.53	—	1,227.33	5,780.45	753.77
Hutchinson	47.40	47,339.90	12,662.00	—	659.55	3,337.49	56,928.40
Jackson	—	23,096.10	16,380.84	—	348.59	3,404.76	—
Keeley	58.99	46,988.46	6,693.29	—	651.00	4,057.30	210,260.83
Ketnoe	—	—	—	—	—	—	—

Kelley.....	—	21,938.50	8,306.55	—	387.29	394.69	—
Koretz.....	200.19	42,202.55	11,179.12	—	761.22	6,202.80	71,192.53
La Suer.....	—	30,182.03	4,609.68	—	603.70	3,902.95	32,741.85
Leach.....	—	34,896.88	6,181.99	—	25.40	2,443.84	56,559.93
Leonard.....	—	33,398.11	12,411.53	—	953.85	6,798.26	26,798.26
Leslie.....	437.42	27,431.14	7,766.08	—	119.80	1,932.74	25,851.87
Liu.....	105.01	52,929.62	9,207.01	—	1,720.95	4,098.27	116,156.65
Longville.....	—	20,028.00	9,444.71	—	734.33	3,473.79	8,206.71
Lowenthal.....	765.79	41,904.10	14,003.27	—	477.43	3,482.25	49,748.07
Maddox.....	—	32,560.72	5,921.41	—	576.78	3,274.23	59,316.58
Maldonado.....	—	41,791.20	4,735.66	—	481.03	2,923.58	64,792.10
Matthews.....	89.97	1,126.41	6,675.19	—	90.20	2,485.95	179,996.02
Migden.....	261.20	684.75	21,351.25	—	3,956.45	1,560.96	401.08
Mounjoy.....	—	31,468.40	5,222.76	—	110.97	5,192.64	80,067.82
Nakano.....	—	32,018.89	4,956.03	—	844.46	4,690.82	61,898.98
Naton.....	—	35,414.90	15,408.48	—	274.16	6,393.20	50,724.95
Negrete McLeod.....	164.48	33,395.49	14,502.01	—	598.94	4,759.77	69,125.97
Oropeza.....	1,182.26	36,637.82	9,333.44	—	1,616.99	4,232.95	40,345.57
Pacheco, Robert.....	88.75	50,404.55	10,680.30	—	275.34	3,929.05	22,968.53
Pacheco, Rod.....	1,115.92	38,900.10	9,120.91	—	1,770.13	2,315.09	17,924.29
Papan.....	—	54,108.43	9,102.99	—	914.48	1,757.37	—
Pavley.....	—	32,759.73	4,986.45	—	934.55	2,886.31	92,639.81
Pescetti.....	—	21,240.80	5,422.33	—	11.70	1,932.95	59,093.59
Reyes.....	3,058.29	1,960.58	15,513.47	—	804.93	3,526.48	81,899.57
Richman.....	—	27,639.30	8,099.57	—	782.17	3,443.01	79,221.83
Runner.....	1,215.78	38,723.50	11,013.38	—	425.11	3,772.88	67,301.05
Salinas.....	—	5,427.84	6,537.17	—	409.62	1,762.46	49,252.76
Shelley.....	121.84	886.37	21,880.88	—	1,271.16	2,132.82	56,494.14
Smitian.....	406.71	104,487.82	7,657.50	—	3,048.35	4,055.35	78,431.76
Steinberg.....	79.49	38,269.70	7,022.29	—	100.05	1,282.22	23,518.77
Streckland.....	427.82	20,345.70	8,758.95	—	2,359.19	6,397.20	75,329.92
Strom-Martin.....	—	21,703.78	9,262.50	—	200.48	1,461.04	—
Thomson.....	58.24	37,658.60	9,088.71	—	211.70	2,303.27	—
Vargas.....	551.32	38,452.32	8,923.49	—	1,182.95	1,614.20	2,714.43
Washington.....	650.13	45,386.70	14,681.52	—	987.97	1,171.81	—
Wayne.....	281.42	100.80	7,028.52	—	607.58	5,854.78	52,639.80
Wesson.....	1,996.14	86,138.34	20,214.10	—	5,727.83	4,558.89	38,218.27
Wiggins.....	302.53	86,723.72	11,405.45	—	938.03	3,111.76	—
Wright.....	469.44	671.40	10,042.13	—	1,676.79	1,564.87	—
Wyland.....	—	39,022.76	4,676.18	—	266.14	2,326.39	40,322.53
Wyman.....	213.60	38,346.14	14,852.81	—	560.77	1,738.65	—
Zettel.....	1,155.63	43,963.58	7,985.68	—	1,017.47	1,281.54	20,843.63
TOTALS.....	\$26,314.89	\$2,712,775.59	\$811,680.70	\$0.00	\$87,215.67	\$260,443.73	\$3,387,032.08

TABLE II C
Member Expenditures
12/1/2001-11/30/2002

Member	Furniture & Equipment *	Office Supplies	Subscr. & Publications	Misc. Services	TOTAL	Member Per Diem (Gen. Fund)	TOTAL EXP. (ALL FUNDS)
Aanestad.....	—	\$1,163.06	\$1,009.03	\$1,022.26	\$285,994.51	\$26,625.00	\$312,619.51
Alquist.....	\$317.46	3,214.02	1,247.76	5,622.02	244,145.12	27,430.00	271,575.12
Aroner.....	1,037.99	1,251.93	2,509.76	3,801.11	323,033.80	26,788.00	349,821.80
Ashburn.....	1,226.63	1,254.69	1,314.40	2,132.97	290,936.51	26,136.00	317,072.51
Bates.....	1,452.59	4,388.23	3,091.30	2,526.72	281,766.06	26,983.00	308,749.06
Bogh.....	—	5,663.49	935.85	1,025.38	294,017.42	27,351.00	321,368.42
Briggs.....	698.28	2,237.52	248.98	2,494.67	319,004.58	26,020.00	345,024.58
Calderon.....	237.76	1,697.76	1,357.08	2,494.67	323,259.95	27,230.00	350,489.95
Campbell, Bill.....	—	1,784.45	2,019.55	2,491.23	197,324.92	26,015.00	223,339.92
Campbell, John.....	302.50	1,286.97	1,052.93	2,541.48	281,090.01	26,383.00	307,473.01
Cardenas.....	295.42	2,418.45	927.60	1,196.18	300,416.68	27,430.00	327,846.68
Canciarella.....	1,313.15	5,678.01	1,707.99	13,462.44	318,899.06	24,805.00	343,704.06
Cardoza.....	506.85	3,563.45	3,201.73	11,392.56	301,872.62	25,173.00	327,045.62
Cedillo.....	629.97	3,475.30	2,030.35	2,560.89	270,973.40	27,588.00	298,561.40
Chan.....	1,563.07	3,345.49	894.13	3,906.35	268,648.57	27,309.00	295,957.57
Chavez.....	631.00	2,128.92	601.24	3,941.86	288,291.94	27,430.00	315,721.94
Chu.....	112.50	4,050.06	1,187.95	13,996.06	313,221.91	27,272.00	340,493.91
Cogdill.....	147.00	2,954.28	936.43	2,898.48	286,588.77	27,467.00	314,055.77
Cohn.....	1,402.53	3,062.25	2,066.02	3,861.41	308,039.55	27,114.00	335,153.55
Corbett.....	661.56	4,928.96	1,930.88	10,189.56	273,448.56	26,583.00	300,031.56
Correa.....	247.75	2,517.09	562.41	15,080.49	293,144.68	23,679.00	316,823.68
Cox.....	915.53	4,914.69	1,203.18	2,065.52	239,853.93	27,225.00	267,080.93
Daucher.....	745.97	1,489.73	501.72	2,271.32	309,333.16	25,652.00	334,985.16
Diaz.....	714.32	4,273.85	2,214.40	1,711.24	226,517.57	26,583.00	253,100.57
Dickerson.....	171.55	1,529.04	940.16	2,399.96	295,410.97	27,351.00	322,761.97
Dutra.....	199.99	2,326.63	3,179.34	1,123.36	293,436.93	27,272.00	320,708.93
Firebaugh.....	2,191.72	8,839.56	1,366.02	4,105.52	324,508.81	27,193.00	351,701.81
Florez.....	1,349.06	3,428.72	528.18	7,835.87	295,481.36	26,741.00	322,222.36
Frommet.....	694.99	7,226.44	1,378.50	9,183.80	303,898.53	24,168.00	328,066.53
Goldberg.....	2,193.95	3,713.43	1,249.45	1,862.76	299,722.03	27,430.00	327,152.03
Harman.....	190.00	2,877.21	804.85	1,388.44	294,337.34	25,410.00	319,747.34
Havice.....	—	3,814.07	1,458.42	7,620.04	311,803.04	27,104.00	338,907.04
Hertzberg.....	—	7,288.12	1,273.33	9,833.70	253,950.69	26,136.00	280,086.69
Hollingsworth.....	—	1,782.85	602.27	1,415.10	287,352.14	26,257.00	313,609.14
Horton.....	802.59	3,690.65	1,627.37	3,809.86	290,729.24	27,225.00	317,954.24
Jackson.....	9,673.97	5,451.62	1,292.98	3,511.84	311,130.56	26,667.00	337,797.56
Keeley.....	647.68	5,433.16	1,042.17	1,516.26	274,785.33	27,430.00	302,215.33
Ketnoe.....	754.18	3,209.35	2,362.58	2,872.79	306,015.44	18,960.00	324,975.44

Kelley.....	951.88	288.37	914.39	282,363.32	27,588.00	309,951.32
Koretz.....	4,327.50	1,810.75	12,041.12	310,529.88	26,341.00	336,870.88
La Suer.....	2,612.96	433.11	3,058.90	174,033.61	27,588.00	341,621.61
Leach.....	837.76	576.47	2,047.98	271,878.76	26,015.00	297,893.76
Leonard.....	429.21	1,262.50	2,817.30	234,955.51	25,773.00	260,728.51
Leslie.....	6,287.68	1,053.57	7,534.48	289,973.10	27,430.00	317,403.10
Liu.....	1,296.73	298.25	7,910.67	323,837.84	26,099.00	349,936.84
Longville.....	—	795.50	5,708.92	292,523.81	27,193.00	319,716.81
Lowenthal.....	1,396.26	2,415.27	1,957.97	304,540.30	23,642.00	328,182.30
Maddox.....	205.00	935.42	2,905.89	298,975.09	27,272.00	326,247.09
Maldonado.....	8,524.18	1,547.45	1,336.40	282,959.65	23,232.00	306,191.65
Matthews.....	352.00	539.89	3,284.07	267,012.85	27,225.00	294,237.85
Migden.....	338.59	2,424.38	3,289.07	222,029.53	25,652.00	247,681.53
Mounjoy.....	969.32	336.31	2,600.74	289,586.58	27,430.00	317,016.58
Nakano.....	519.59	2,456.21	3,448.87	295,714.91	22,553.00	318,267.91
Naton.....	565.19	984.20	519.69	302,763.86	27,351.00	330,114.86
Negrete McLeod.....	593.97	531.26	3,054.13	305,592.49	27,193.00	332,785.49
Oropeza.....	1,790.14	1,238.15	3,034.13	302,902.51	27,351.00	330,253.51
Pacheco, Robert.....	127.99	1,263.09	2,175.22	330,553.48	26,867.00	357,420.48
Pacheco, Rod.....	—	902.10	7,629.93	277,143.55	27,588.00	304,731.55
Papan.....	1,207.85	319.46	1,973.66	320,367.77	27,588.00	347,955.77
Pavley.....	285.11	1,483.53	1,054.58	303,411.52	330,236.52	330,236.52
Pescetti.....	5,201.32	604.09	1,257.60	272,988.47	26,825.00	272,988.47
Reyes.....	2,580.39	817.10	7,221.24	268,662.53	26,825.00	295,487.53
Richman.....	446.03	442.54	2,181.45	273,329.98	27,104.00	300,433.98
Runner.....	992.38	1,053.34	2,405.88	321,948.95	25,773.00	347,721.95
Salinas.....	968.42	1,103.54	5,038.78	241,527.23	27,430.00	268,957.23
Shelley.....	964.96	104.00	6,738.41	209,364.22	27,467.00	236,831.22
Simittian.....	745.62	1,363.21	18,907.42	306,494.17	27,104.00	333,598.17
Steinberg.....	265.31	1,787.86	5,583.57	270,304.19	—	270,304.19
Streckland.....	200.61	1,450.24	7,518.32	284,134.72	27,430.00	311,564.72
Strom-Martin.....	651.59	1,092.94	3,505.18	274,429.32	27,430.00	301,859.32
Thomson.....	401.10	1,121.69	1,830.38	266,608.25	—	266,608.25
Vargas.....	3,509.93	2,689.31	2,101.51	309,416.40	27,430.00	336,846.40
Washington.....	2,033.42	1,304.14	4,584.88	313,139.88	26,741.00	339,880.88
Wayne.....	75.00	2,299.46	1,724.88	266,887.95	22,953.00	289,840.95
Wesson.....	9,313.31	7,993.78	6,644.64	363,563.89	390,677.89	390,677.89
Wiggins.....	3,545.00	1,008.58	4,212.62	279,001.47	23,437.00	302,438.47
Wright.....	6,829.10	3,747.73	2,146.65	265,289.15	27,346.00	292,635.15
Wyland.....	1,291.59	1,398.41	832.80	302,515.49	21,743.00	324,258.49
Wyman.....	1,224.49	1,621.14	1,502.67	298,966.53	26,825.00	325,791.53
Zettel.....	1,185.98	612.23	3,392.52	297,431.56	23,721.00	321,152.56
TOTALS.....	\$99,632.29	\$101,424.63	\$330,463.01	\$23,092,041.96	\$2,029,284.00	\$25,121,325.96

NOTE: Asterisk (*) indicates that expenditure includes committee- or leadership-incurred expenses as well as Member-related expenditures.

TABLE III
Committee Expenditures
12/1/2001-11/30/2002

Committee	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Tele-graph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP.
Aging & Long-Term Care	\$155,224.91	\$3,760.15	\$132.21	\$46.82	\$5.70	\$2,816.82	—	—	\$2,466.28	\$905.53	\$165,358.42
Agriculture	318,441.96	526.02	—	77.47	10.95	3,742.24	—	\$183.86	1,135.18	262.64	324,380.32
Appropriations	1,185,075.27	4,948.11	728.55	30.40	30.96	13,094.80	—	541.80	3,359.53	691.88	1,208,501.30
Arts, Entertainment, Sports, Tourism, & Internet Media ..	269,305.20	831.26	54.40	—	—	1,827.51	—	549.99	1,722.02	1,608.66	275,899.04
Banking & Finance	297,138.89	310.50	—	36.75	—	3,072.55	—	662.67	144.28	190.92	301,556.56
Budget	892,900.53	7,226.14	2,247.94	508.84	90.28	17,623.95	—	162.48	4,769.94	5,073.67	930,603.77
* No. 1-Health & Human Services	129,299.64	3,310.25	119.39	—	—	904.39	—	—	—	—	133,633.67
* No. 2-Education Finance	178,671.05	1,154.34	—	—	—	1,182.69	—	—	—	—	181,008.08
* No. 3-Resources	168,827.37	1,419.26	449.54	—	—	2,969.31	—	—	—	—	173,665.48
* No. 4-State Administration ..	126,899.50	1,106.43	80.60	—	—	3,045.29	—	—	—	—	131,131.82
* No. 5-Information Technology/Transportation...	23,134.69	1,582.67	2,012.48	70.30	—	3,235.04	—	—	49.51	51.72	30,136.41
Business & Professions	414,956.85	4,804.64	427.88	0.32	60.24	8,265.24	—	242.43	839.92	1,322.76	430,920.28
Education	413,033.87	784.08	66.40	86.34	—	3,285.54	—	—	892.54	201.02	418,349.79
Elections, Reapportionment & Constitutional Amendments, Energy Costs & Availability (2001-02 First Extraordi- nary Session)	343,226.91	1,204.70	166.65	31.49	129.32	5,778.40	—	172.40	—	69,926.92	420,636.79
* Energy Oversight	—	—	—	—	—	—	—	—	—	113,495.18	113,495.18
Environmental Safety & Toxic Materials	338,878.80	2,165.36	300.74	18.67	96.91	6,781.18	—	—	851.64	462.24	351,535.85
Governmental Organization	472,610.07	10,462.22	2,161.30	261.02	104.15	7,031.81	—	1,980.31	1,315.29	776.09	496,970.75
* Veterans Affairs	33,285.77	1,237.35	163.99	—	—	1,295.40	—	2,248.80	—	—	35,982.21
Health	545,374.05	2,538.40	132.96	285.80	5.70	5,410.25	—	—	2,499.09	485.08	556,731.33
* Mental Health	90,129.36	876.70	53.63	—	40.00	480.50	—	—	—	—	91,580.19
Higher Education	316,808.06	1,521.23	—	342.75	6.95	1,945.00	—	266.16	1,405.81	358.60	322,654.56
Housing & Community Development	2,494.27	2,494.27	493.22	222.94	—	4,689.64	—	931.01	452.04	496.09	385,285.21
Human Services	268,082.36	1,903.66	512.20	26.59	40.95	4,689.64	—	28.56	725.56	593.29	276,476.89
Human Services—Vice-Chair ..	71,133.00	156.68	57.36	—	—	566.74	—	—	—	56.13	71,969.91
Insurance	492,307.04	500.01	179.92	15.89	—	4,776.44	—	461.40	—	413.76	498,654.46
Jobs, Economic Development & the Economy	248,633.50	2,638.79	743.83	3.09	—	5,008.62	—	85.00	281.30	100.10	257,494.23
* Information Technology	150,637.69	—	173.10	—	—	497.49	—	—	—	251.72	151,560.00
* International Trade	151,748.76	331.83	481.14	—	—	2,319.05	—	—	—	16,000.00	170,880.78

Judiciary.....	743,608.93	2,848.61	216.55	29.06	8.45	12,835.91	8,844.22	1,128.20	1,890.60	771,410.53
Labor & Employment.....	309,522.88	3,658.87	392.22	242.79	—	4,133.64	309.02	480.02	542.99	319,282.43
Labor & Employment—Vice-Chair.....	107,816.01	—	—	—	—	1,102.76	—	—	—	108,918.77
Local Government.....	481,233.00	351.35	563.19	83.50	—	7,138.38	2,546.09	836.25	681.68	493,433.44
Local Government—Vice-Chair.....	50,015.08	424.38	—	—	—	877.98	—	—	1,630.86	52,948.30
Natural Resources.....	406,712.60	2,461.54	404.44	60.16	11.90	4,393.79	—	499.96	400.40	414,944.79
Public Employees, Retirement & Social Security.....	279,111.50	592.33	—	52.62	37.84	1,579.40	238.00	371.46	197.43	282,180.58
Public Employees, Retirement & Social Security—Vice-Chair.....	36,240.35	46.50	—	—	—	1,163.80	—	—	—	37,450.65
Public Safety.....	664,117.73	3,177.62	2.61	74.36	—	8,156.09	1,089.91	783.56	2,536.74	679,938.62
Revenue & Taxation.....	426,989.37	3,151.05	103.12	162.27	—	5,528.15	2,525.51	1,240.09	592.15	440,291.71
Rules										
* Sexual Harassment Prevention & Response.....	39,361.73	—	559.80	—	—	1,939.28	—	—	19.22	41,880.03
Transportation.....	499,595.41	3,494.57	1,137.57	98.18	—	7,172.82	828.18	1,552.19	210.20	514,089.12
Utilities & Commerce.....	353,196.27	947.07	1,144.82	51.51	190.06	11,224.07	3,259.20	999.88	1,292.78	372,305.66
Veterans Affairs.....	79,862.86	214.52	—	—	—	501.21	—	561.28	482.97	81,622.84
Water, Parks & Wildlife.....	332,798.74	3,545.43	113.41	4.68	—	2,018.39	81.24	1,947.33	273.38	340,782.60
<i>Special & Select Committees</i>										
Aerospace Industry.....	42,368.00	—	—	—	—	—	—	—	—	42,368.00
Aging of the Baby Boomers.....	81,306.95	384.85	—	—	—	—	—	—	—	81,691.80
Agricultural Imports & Exports.....	142,220.96	1,865.87	721.23	—	—	2,739.61	—	—	—	147,547.67
Air & Water Quality.....	124,251.86	2,338.36	751.12	—	—	363.62	—	—	51.72	127,756.68
Alameda Corridor East.....	84,813.25	616.40	371.95	—	—	226.52	—	—	—	86,028.12
Asian Trade.....	107,273.00	—	—	—	—	—	—	—	—	107,273.00
Bay Area Wetland and Coastal Woodland Preservation.....	121,733.00	121.91	—	—	—	—	—	—	—	121,854.91
California's Children's School Readiness and Health.....	86,209.00	—	—	—	—	—	—	—	—	86,209.00
California Horse Racing Industry.....	28,520.69	28.00	131.03	—	—	—	—	—	—	28,679.72
California Indian Nations.....	88,042.00	—	—	—	—	455.49	—	—	—	88,497.49
California-Mexico Affairs.....	111,929.13	2,045.97	880.59	—	—	2,357.33	—	—	—	117,213.02
California Ports.....	120,809.40	1,959.53	2,408.42	—	—	2,260.25	—	103.44	—	127,541.04
California Wine.....	116,549.14	1,400.07	—	—	—	18.10	—	—	—	117,967.31
Cancer Detection, Prevention, and Research.....	39,596.00	—	—	—	—	—	—	—	—	39,596.00
Coastal Protection.....	92,349.63	941.28	556.33	—	—	—	—	—	51.72	93,898.96
Community Colleges/School to Career.....	24,957.21	732.72	118.50	—	—	304.40	—	—	36,245.60	62,358.43
Compton Unified School District.....	125,359.50	4,298.45	540.62	—	—	6,435.38	—	—	—	136,633.95

Working Poor	60,798.00	533.86	86.59	-	-	-	-	-	61,418.45
Youth, Tolerance and Com- merce	131,923.13	207.33	51.20	-	-	-	-	-	132,514.76
TOTALS	\$18,434,149.75	\$135,458.94	\$26,213.91	\$3,134.91	\$1,205.10	\$225,196.02	\$0.00	\$30,732.26	\$339,153.35
									\$19,231,661.88

* Subcommittee of Standing Committee.

TABLE IV
Leadership Expenditures
12/1/2001-11/30/2002

Leadership	Staff Salary	Staff Travel	Car Rental	Postage	Freight	Telephone	Telegraph	Subscr. & Publications	Office Supplies	Misc. Services	TOTAL EXP.
Speaker—Hertzberg	\$105,695.45	\$9,409.48	\$293.67	\$39.07	\$1,104.95	\$4,703.86	—	\$8,024.68	\$7,824.54	\$6,199.41	\$143,295.11
Speaker—Wesson	520,303.90	5,178.95	148.01	489.05	—	15,128.63	—	9,855.35	23,513.34	51,621.05	626,238.28
Speaker pro Tempore	612,303.52	17,058.80	1,335.75	—	—	8,398.87	—	—	1,067.04	834.28	640,998.26
Asst. Speaker pro Tempore	392,838.36	2,468.46	264.34	—	—	1,838.19	—	—	—	—	397,409.35
Chairman, Rules Committee— Cardoza.....	342,391.14	3,759.38	334.80	—	—	10,542.86	—	—	671.67	323.52	358,023.37
Chairman, Rules Committee— Nation.....	165,130.10	—	39.40	—	—	2,044.54	—	—	265.03	84.00	167,563.07
Member of Rules—Cardoza	120,561.18	1,655.64	—	—	—	970.49	—	—	1,091.13	—	124,278.44
Member of Rules—Chu.....	150,140.41	—	—	—	—	97.76	—	—	—	—	150,238.17
Member of Rules—Frommer	95,522.00	366.00	—	—	—	1,084.73	—	—	—	—	96,972.73
Member of Rules—Horton	31,423.77	2,414.74	861.64	—	—	608.08	—	—	—	—	35,308.23
Member of Rules—Liu	178,472.50	4,163.50	—	—	—	351.47	—	—	—	—	182,987.47
Member of Rules—Nakano	102,009.54	2,421.86	148.49	—	—	38.62	—	—	—	—	104,618.51
Member of Rules—Nation.....	66,131.31	—	—	—	—	538.66	—	—	—	—	66,669.97
Member of Rules—Negrete	28,330.00	—	—	—	—	50.06	—	—	—	—	28,380.06
Democratic Caucus Chair	39,429.50	373.00	49.40	—	—	1,332.40	—	—	—	—	41,184.30
Democratic Whip—Chan	157,977.64	561.67	—	—	—	2,634.79	—	—	—	—	161,174.10
Majority Floor Leader— Firebaugh.....	350,881.59	2,458.00	120.14	—	—	1,806.42	—	—	616.03	500.00	356,382.18
Majority Floor Leader—Shelley	142,581.50	897.00	151.46	—	—	3,135.76	—	—	—	—	146,765.72
Majority Leader	617,138.53	2,503.21	1,219.52	—	—	19,649.87	—	1,043.17	—	—	641,554.30
Asst. Majority Leader	215,088.22	2,406.75	170.56	—	—	6,572.20	—	—	—	—	224,237.73
Asian Pacific Islander Caucus	5,785.27	397.00	—	—	—	—	—	—	—	—	6,182.27
Black Caucus	17,105.32	623.87	149.32	—	—	26.72	—	—	—	190.72	18,095.95
Latino Legislative Caucus	112,792.59	3,253.99	611.47	—	—	874.16	—	—	—	86.20	117,618.41
Republican Latino Caucus	22,544.00	—	—	—	—	—	—	—	—	—	22,544.00
Rural Caucus	80,789.42	131.38	—	—	—	259.25	—	—	—	—	81,180.05
Speaker Emeritus	1,059,734.09	6,014.13	766.66	—	6.33	10,525.37	—	280.71	5,470.52	2,278.08	1,085,075.89
Lesbian, Gay, Bisexual, & Transgender Caucus.....	26,558.18	—	—	—	—	—	—	—	—	—	26,558.18
Women's Legislative Caucus— Jackson.....	52,918.56	422.36	—	—	—	35.11	—	—	—	51.72	53,427.75
Women's Legislative Caucus— Strom-Martin.....	6,282.00	47.40	63.33	—	—	201.12	—	—	—	—	6,593.85
TOTALS	\$5,818,859.59	\$68,986.57	\$6,727.96	\$528.12	\$1,111.28	\$93,449.99	\$0.00	\$19,203.91	\$40,519.30	\$62,168.98	\$6,111,555.70

TABLE V
Support Services Expenditures
12/1/2001-11/30/2002

	Staff Salary	Staff Travel & Per Diem	Car Rental	Telephone	Tele-graph	Postage	Freight	Furniture & Equip-ment	Office Supplies	Subscr. & Publica-tions	Misc. Services	TOTAL EXP.
Rules Committee	\$4,632,389.68	\$28,778.24	\$21,047.81	\$65,014.13	-	\$13,831.22	\$27,384.22	\$367,247.23	\$56,960.24	\$51,013.25	\$255,232.82	\$5,518,898.84
Democratic Caucus	9,297,480.36	203,308.59	21,347.88	135,724.24	-	1,552.61	2,225.61	204,466.57	69,374.62	16,297.04	126,069.82	10,077,847.34
Republican Caucus	6,720,452.39	31,264.94	3,238.18	72,182.82	-	862.55	84.49	7,333.50	22,258.23	23,134.74	50,939.51	6,931,751.35
Reproduction Center.....	891,937.31	-	-	7,959.76	-	5.12	11.00	46,596.75	12,519.61	139.90	2,727,607.85	3,686,777.30
Chief Clerk	1,469,388.30	975.49	542.98	12,677.76	-	4,881.26	86.26	571.51	5,062.36	2,466.07	16,176.26	1,496,651.99
Sergeant-at-Arms	2,057,400.59	14,018.77	75,362.12	52,550.92	-	752.57	269.22	74,659.77	37,553.18	7,478.26	-	2,336,221.66
Computer Services	258,001.00	326.30	-	2,044.98	-	-	-	-	300.00	-	51.72	240,724.00
TOTALS	\$25,307,049.63	\$278,672.33	\$121,538.97	\$348,154.61	\$0.00	\$21,885.33	\$30,060.80	\$700,875.33	\$204,028.24	\$100,529.26	\$3,176,077.98	\$30,288,872.48

TABLE VI
General Overhead Expenditures
12/1/2001-11/30/2002

Miscellaneous Salaries.....	\$2,019,399.75
Employee Benefits.....	18,299,075.32
Building, Rent, Maintenance, & Utilities.....	395,424.37
Office Alterations	524,336.36
Telephone	370,757.27
Furniture & Equipment	798,324.60
Office Supplies.....	270,372.04
Subscriptions, Publications, & Codes	3,035.85
Meeting Expenses	3,022.34
Meeting Expenses (Meals).....	40,387.06
Freight, Moving, & Delivery	155,078.07
Other Miscellaneous Services	1,333,479.52
Study Contracts	719,742.71
TOTALS	\$24,932,435.26

TABLE VII
Assembly Operating Fund Transfers
12/1/2001-11/30/2002

Joint Legislative Budget Committee.....	\$2,725,417.00
TOTALS	\$2,725,417.00

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 5, 2004

**ONE HUNDRED THIRTY-FIRST SESSION DAY
FOUR HUNDREDTH 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, January 5, 2004

The Assembly met at 2 p.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 La Malfa moved a quorum call of the Assembly.

Motion carried. Time, 2:01 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 2:15 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—79:

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	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:

O Lord, our God, You are faithful in Your words and truthful in Your promises. You call all of us to fight the good fight, to fulfill the course of godliness and to keep the true faith. Will You, Lord, grant us a share of Your inheritance, that being followers of Your commandments, we may obtain the good things which await Your faithful servants. For You are merciful, You love mankind, and we glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Cox 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 Member was granted leave of absence for the day:

To attend a funeral in the District: Assembly Member Jerome E. Horton.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

November 25, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Jan Perry
to California Film Commission

Dear Mr. Wilson: Please be advised I have appointed Councilmember Jan Perry to the California Film Commission. This is a pleasure term appointment starting November 25, 2003 and the expiration date is November 25, 2005. Councilmember Perry will be replacing Ms. Barbara McMahan.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Michael Alexander
to California Arts Council

Dear Mr. Wilson: Please be advised I have appointed Mr. Michael Alexander to the California Arts Council. This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2008. Mr. Alexander will be replacing Mr. Robert Abernethy.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of Eugene Hardin
to Commission on Emergency Medical Services

Dear Mr. Wilson: Please be advised I have reappointed Dr. Eugene Hardin to the Commission on Emergency Medical Services. This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Christopher Hammond
to California Health Facilities Financing Authority

Dear Mr. Wilson: Please be advised I have appointed Mr. Christopher Hammond to the California Health Facilities Financing Authority. This is a term appointment starting December 22, 2003 and the expiration date is March 31, 2007. Mr. Hammond will be replacing Ms. Sumi Sousa.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Donna Andrews
to High-Speed Rail Authority

Dear Mr. Wilson: Please be advised I have appointed Ms. Donna Andrews to the High-Speed Rail Authority. This is a term appointment starting January 1, 2004 and the expiration date is December 31, 2007. Ms. Andrews will be replacing Mr. Leland Wong.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Reappointment of Jane F. Lowenthal
to Library of California Board

Dear Mr. Wilson: Please be advised I have reappointed Ms. Jane F. Lowenthal to the Library of California Board. This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2008.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Reappointment of Patty R. Boyle
to Advisory Commission on Special Education

Dear Mr. Wilson: Please be advised I have reappointed Ms. Patty R. Boyle to the Advisory Commission on Special Education. This is a term appointment starting January 1, 2004 and the expiration date is December 31, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 22, 2003

Mr. E. Dotson Wilson

*Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Reappointment of Justin Kim
to State Assistance Fund for
Enterprise, Business and Industrial Development Corporation
(SAFE-BIDCO)

Dear Mr. Wilson: Please be advised I have reappointed Mr. Justin Kim to the State Assistance Fund for Enterprise, Business and Industrial Development Corporation (SAFE-BIDCO). This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 4, 2003

Mr. E. Dotson Wilson

*Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Eugene Masuda
to Protection and Advocacy, Inc., Board of Directors

Dear Mr. Wilson: Please be advised I have appointed Mr. Eugene Masuda to the Protection and Advocacy, Inc., Board of Directors. This is a term appointment starting December 4, 2003 and the expiration date is June 20, 2006. Mr. Masuda will be replacing Ms. Karen Lynn-Chlup.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 5, 2004

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have changed the name of the Select Committee on the Urban Child to the Select Committee on Urban Youth, effective immediately.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 5, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Marco Firebaugh to replace Assemblymember Wilma Chan on the Assembly Jobs, Economic Development and the Economy Committee for the Tuesday, January 6th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

REPORTS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-103
November 25, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning our review of whether the California Public Utilities Commission (commission) promptly resolves the various types of administrative proceedings it is responsible for conducting. This report concludes that few of the 1,602 proceedings the commission initiated between January 1, 2000, and June 30, 2003, were actually subject to statutory deadlines. Additionally although the commission did not complete 11 percent of its proceedings within statutory requirements when applicable, or within its own internal guidelines, most times it did. Commission staff provided various reasons, including delays caused by the commissioners themselves, delays caused because the outcomes of some proceedings were dependent on other decisions or investigations, or delays that occurred when the commission purposely kept certain proceedings open to take up related issues or to manage multiple phases. In processing its more informal advice letters, which the commission uses to approve minor requests from utilities, two factors contributed to delays: One was that some had a lower workload priority and the other was that some required formal resolution or investigation.

Finally, according to several reports prepared by the Department of Finance between February 1998 and February 2003, the commission lacks an adequate tracking system that would allow it to provide quantifiable justification to support its requests for staffing. Thus, although the commission cited workload and inadequate staffing as

contributing to delays in processing its formal proceedings and advice letters, it was unable to provide us with any staffing workload analyses to support its belief.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Utilities and Commerce.

California State Auditor

2003-010
December 9, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 310, Statutes of 1995, the Bureau of State Audits presents its audit report concerning the Department of Transportation's (department) revenues and expenditures authorized by the Seismic Retrofit Bond Act of 1996 (Bond Act). This report concludes that the department has ensured that seismic retrofit projects funded with bond proceeds are consistent with the purpose of the Bond Act. As of June 30, 2003, the department had spent \$1.87 billion of the \$2 billion authorized by the Bond Act. In addition, the department has nearly completed its reimbursement of the State Highway Account and the Consolidated Toll Bridge Fund for expenditures incurred during fiscal years 1994-95 and 1995-96 as required by the Bond Act. As of June 30, 2003, the department had reimbursed the two funding sources \$89.7 million of the \$114 million that is owed to them.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

2003-113
December 10, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning our review of the processes used by the California Integrated Waste Management Board (board) and local agencies, including local enforcement agencies (LEAs), to grant permits for and to monitor solid waste sites.

This report concludes that the board had not finalized regulations for construction and demolition debris sites when a large fire broke out at the Archie Crippen Excavation Site (Crippen Site), a site that accepted

this type of material, in Fresno, putting public health and safety at risk. Representatives of several agencies visiting the Crippen Site before the fire failed to cite the operator or require remediation of conditions that ultimately made the fire difficult to suppress. Also, the board does not track sites that fall into the excluded regulatory tier because it is not required to do so. However, these sites may grow or begin to receive other types of waste, potentially posing a risk to public health and the environment without the board's or the LEAs' knowledge if the operator does not notify them of any change in activity. In addition, the board does not complete its reviews of each LEA every three years, as required by law, to ensure they are appropriately enforcing the California Integrated Waste Management Act of 1989.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Environmental Safety and Toxic Materials.

California State Auditor

2002-116
December 16, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Los Angeles County Metropolitan Transportation Authority's (MTA) decentralization of its bus operations into five service sectors. This report concludes that it is too early to predict service sector success, but opportunities for certain improvements exist. Before the MTA established sectors, it did not perform any cost-benefit analyses or fiscal projections, nor did it fully consider alternatives to sectors. Thus, the MTA has reduced its ability to measure the effectiveness or efficiency of its sector implementation. Despite the MTA's limited analysis, our review generally did not find negative effects associated with the MTA's decentralization of bus operations. However, the MTA is still attempting to resolve some issues affecting sectors that existed before it decentralized its operations.

Although the MTA provided training to the governance councils on their various responsibilities, the MTA has not communicated adequately with them about some pertinent issues, such as limitations that currently prevent it from calculating cost savings for sectors. Thus, it risks having governance council members form incorrect assumptions about the MTA's capabilities and becoming frustrated with the MTA's seeming lack of attention to issues the council members believe are important. Additionally, weaknesses in the methods the MTA uses to

advertise governance council meetings could cause it to miss opportunities to use these meetings effectively as a means of improving community input into bus operations and tailoring services to local needs.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Transportation.

California State Auditor

2003-102
December 17, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the State Water Resources Control Board's (state board) and the Regional Water Quality Control Boards' (regional boards) collection of fines and their administration of water quality improvement projects funded with fines collected in accordance with the Porter-Cologne Water Quality Control Act (State water quality act).

This report concludes that, as allowed by law, there is no correlation between the amount of fines collected by a given regional board and the amount the regional board receives from the state board. Over the last five fiscal years, 1998-99 through 2002-03, the regional boards collected about \$26 million from fines and the state board has either spent or committed to spend \$24.9 million for water quality improvement projects throughout the State. Further, the state board received almost \$21 million from a legal settlement between the State and Atlantic Richfield Company and Prestige Stations, Inc., and shortly after committed to spend \$19.2 million of those funds. While the regional boards have three options for either recovering at least a portion of the money, or otherwise retaining some of the benefits of their enforcement actions, not all the regional boards are fully utilizing these options. Moreover, despite appearing to focus on the main goal of ensuring that public and private entities comply with the State water quality act, regional boards sometimes fail to follow through on enforcement actions. Finally, the state board's staff does not always obtain written information on proposed water quality projects before submitting them to the state board for review. As a result, staff does not always fully analyze the proposed water quality projects and the state board may not be able to make a fully informed decision regarding which projects are the best use of state funds.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Water, Parks and Wildlife.

California State Auditor

2002-032
December 18, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by Chapter 804, Statutes of 2002, the Bureau of State Audits presents its audit report concerning California's education institutions that receive federal student aid and must comply with the federal Jeanne Clery disclosure of Campus Security Policy and Crime Statistics Act (Clery Act).

This report concludes that institutions sometimes report inaccurate or incomplete statistics in their annual reports because the Clery Act does not always provide clear definitions. In a few instances, institutions have developed their own policies to address the lack of clarity, which further increases the risk of inconsistent reporting of campus crime statistics among institutions. Finally, our review found that some institutions did not maintain documentation of the incidents included in their annual reports. Thus, it is difficult to determine whether the institutions are accurately and consistently reporting incidents from year to year.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Higher Education.

California State Auditor

2003-112
December 22, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the Department of Health Services' (Health Services) activities to address provider fraud in the California Medical Assistance Program (Medi-Cal). This report concludes that although Health Services performs a number of Medi-Cal fraud prevention and detection activities, it is missing some components of a comprehensive and coordinated strategy for addressing provider fraud. It is currently working to implement some of these missing components, such as estimating the extent of fraud in the program, but it has not yet completed its assessment. Without this information, it cannot know whether it is overinvesting or underinvesting in its antifraud activities or allocating antifraud resources in the right areas.

Additionally, Health Services continues to experience delays in processing some provider enrollment applications, and this becomes critical as new legislation effective January 1, 2004, requires it to grant

provisional provider status to applicants if its processing of provider enrollment applications does not meet certain time and notice requirements. Further, it does not ensure the consistent screening of providers before enrolling them in the Medi-Cal program and that all enrolled providers continue to meet eligibility requirements. Health Services could also achieve more effective results by expanding the use of one of its antifraud activities, and needs to complete its negotiations on a required agreement that could be structured to better coordinate its investigative efforts with the California Department of Justice. Although Health Services communicates and shares information during various meetings of its antifraud committees and task forces, because it lacks an individual or team with the responsibility and authority to ensure Medi-Cal fraud control issues are addressed and recommendations promptly implemented, some well-known problems, such as those we report on, may continue to go uncorrected. Finally, Health Services needs to better monitor the potential fraud unique to managed care.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Health.

The following communications were presented by the Chief Clerk:

From Tricia Knight, Initiative Coordinator, Department of Justice, dated December 17, 2003, transmitting copies of the ballot title and summaries, in accordance with the provisions of Elections Code sections 9050–9051, 13247, 13281–13282, and Government Code sections 88002–88003.

Proposition 57
The Economic Recovery Bond Act.
Chapter 2, Statutes of 2003, 5th Extraordinary Session

Referred by the Speaker to the Committees on Budget and Elections, Redistricting and Constitutional Amendments.

Proposition 58
The California Balanced Budget Act.
Resolution Chapter 1, Statutes of 2003, 5th Extraordinary Session

Referred by the Speaker to the Committees on Budget and Elections, Redistricting and Constitutional Amendments.

Proposed Initiatives

The following communications were presented by the Chief Clerk 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 initiatives, pursuant to Section 9007, Elections Code:

Recall Signature Requirements.
Initiative Constitutional Amendment. SA 2003RF0045

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

**Sex Offenders. Punishment. Parole. Public Information.
Initiative Statute. SA 2003RF0039, Amdt. #1-S**

Referred by the Speaker to the Committee on Public Safety.

**Public Benefits. Driver's License. Eligibility.
Immigration Status and Identity Verification.
Initiative Constitutional Amendment. SA 2003RF0048, Amdt. I-NS**

Referred by the Speaker to the Committee on Transportation.

**Limitations on "Three Strikes" Law. Sex Crimes. Punishment.
Initiative Statute. SA 2003RF0047, Amdt. 1-S**

Referred by the Speaker to the Committee on Judiciary.

**Limitations on Enforcement of Unfair Business Competition Laws.
Initiative Statute. SA 2003RF0051**

Referred by the Speaker to the Committee on Business and Professions.

Publicly Funded, Licensed Schools.

Initiative Constitutional Amendment. SA 2003RF0046, Amdt. #1-S

Referred by the Speaker to the Committee on Education.

**Termination of Minor's Pregnancy. Medical Emergency.
Parental Notification or Judicial Waiver.**

Initiative Constitutional Amendment and Statute. SA 2003RF0050

Referred by the Speaker to the Committee on Judiciary.

INTERIM COMMITTEE HEARINGS

Wednesday, December 10, 2003

Select Committee on Community Colleges, at 10 a.m., in Room 447

Thursday, December 11, 2003

Labor and Employment Committee to convene jointly with the Select Committee on Runaway Production, at 1:30 p.m., in Los Angeles

Tuesday, December 16, 2003

Select Committee on Professional Sports, at 10 a.m., in the Los Angeles Memorial Coliseum Board Room

Wednesday, December 17, 2003

Select Committee on National Defense, Technology and Jobs

Thursday, December 18, 2003

Select Committee on Groundwater Quality and Availability, at CSU Stanislaus

Select Committee on Prison Construction and Operations, at 1:30 p.m., in the Capitol

Select Committee on the I-5/7-10 Expansion, at 10 a.m.

Friday, December 19, 2003

Select Committee on Prison Construction and Operations, in Bakersfield

SPECIAL COMMITTEE HEARINGS

By unanimous consent, the following committees were permitted to meet:

Tuesday, January 6, 2004

Joint Legislative Sunset Review Committee

Wednesday, January 7, 2004

Joint Legislative Sunset Review Committee

Higher Education Committee to convene jointly with the Senate Education Committee and the Senate Select Committee on College and University, at 10 a.m., in Room 2040

Friday, January 9, 2004

Select Committee on King Drew Medical Center, at 10 a.m., at the Drew/King Magnet School, in Los Angeles

Select Committee on California Ports and the South Coast Air Quality Management District, at 1 p.m., in Long Beach

Saturday, January 10, 2004

Select Committee on California Children's School Readiness and Health, at 10 a.m.

Monday, January 12, 2004

Banking and Finance, at 4 p.m., in Room 444

Special Committee on State Mandates, at 10 a.m., in Room 447

Tuesday, January 13, 2004

Judiciary Committee, at 9 a.m.

Wednesday, January 14, 2004

Environmental Safety and Toxic Materials

Thursday, January 15, 2004

Select Committee on the Future of California's Health, at 1 p.m., in the Capitol

Utilities and Commerce, at 1:30 p.m., in Room 437

Tuesday, January 20, 2004

Joint Committee on Preparing California for the 21st Century, at 12:30 p.m., in Room 447 and at 2 p.m., in Rooms 112 and 113

Friday, January 23, 2004

Select Committee on California Ports, at 9 a.m., in Paramount

Thursday, January 29, 2004

Select Committee on California's Foreign Trade Offices, at 1 p.m., or upon adjournment of Floor Session

Thursday, February 5, 2004

Select Committee on Lesbian, Gay, Bisexual and Transgender Families, at 6 p.m. in San Francisco

Select Committee on Biotechnology, at 1 p.m., at the Capitol

Friday, February 6, 2004

Select Committee on the Future of Farming in California, to hold a joint informational hearing with the Co-Chairs of the Legislative Rural Caucus, in Modesto

Thursday, February 12, 2004

Select Committee on California's Foreign Trade Offices, at 1 p.m.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1786—Cogdill (Coauthor: Senator Oller). An act to amend Section 1063 of the Government Code, relating to public officers, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1787—Bogh. An act to add Section 9560 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1788—Leslie. An act to add Division 23.3 (commencing with Section 33300) to the Public Resources Code, relating to the Sierra Nevada Conservancy.

ASSEMBLY BILL NO. 1789—Corbett. An act to add Section 242 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1790—Corbett. An act to add Article 13 (commencing with Section 17079) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1791—Chavez (Coauthors: Calderon, Wolk, and Wyland). An act to amend Sections 65001 and 65004 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1792—Yee (Principal coauthor: Runner) (Coauthors: Koretz, Lieber, Mullin, and Vargas) (Coauthor: Senator Kuehl). An act to amend Section 313 of the Penal Code, relating to video games.

ASSEMBLY BILL NO. 1793—Yee (Principal coauthor: Runner) (Coauthors: Koretz, Lieber, Mullin, and Vargas) (Coauthor: Senator Kuehl). An act to amend Sections 313.1 and 313.4 of the Penal Code, relating to video games.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 142—Chavez (Coauthor: Senator Margett). Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

ASSEMBLY CONCURRENT RESOLUTION NO. 143—Koretz and Leno. Relative to Spay Day USA 2004.

ASSEMBLY CONCURRENT RESOLUTION NO. 144—Yee. Relative to Feng Shui.

ASSEMBLY JOINT RESOLUTION NO. 53—Reyes. Relative to the Breast Cancer Research Stamp Program.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
162 -----	H. & C.D.
238 -----	Rev. & Tax.
392 -----	Trans.
393 -----	A.,E.,S.,T. & I.M.
463 -----	H. & C.D.
489 -----	U. & C.
517 -----	Trans.
849 -----	B. & F.
1126 -----	Ed.
1167 -----	H. & C.D.
1224 -----	Pub. S.

- 1446 ----- Pub. S.
- 1491 ----- Ed.
- 1510 ----- Rev. & Tax.

Assembly Concurrent

- | | |
|-----------------------|------------------|
| <i>Resolution No.</i> | <i>Committee</i> |
| 139 ----- | Higher Ed. |
| 140 ----- | Ed. |
| 141 ----- | Rls. |

Assembly Joint

- | | |
|-----------------------|------------------|
| <i>Resolution No.</i> | <i>Committee</i> |
| 45 ----- | Pub. S. |
| 52 ----- | Rls. |

AUTHOR'S AMENDMENTS
Committee on Utilities and Commerce

January 5, 2004

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Concurrent Resolution No. 118

With author's amendments with the recommendation: Amend, and re-refer to the committee.

REYES, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 118—Relative to public broadcasting.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Utilities and Commerce

January 5, 2004

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 1684

With author's amendments with the recommendation: Amend, and re-refer to the committee.

REYES, Chair

ASSEMBLY BILL NO. 1684—An act to add Section 750 to the Public Utilities Code, relating to energy resources.

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 Banking and Finance

January 5, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 1175

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WIGGINS, Chair

ASSEMBLY BILL NO. 1175—An act to add Section 1747.08 to the Civil Code, relating to consumer credit.

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 Education**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 549

Assembly Bill No. 950

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 549—An act to add Section 45125.3 to the Education Code, relating to school facilities.

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.

ASSEMBLY BILL NO. 950—An act to amend Section 51554 of the Education Code, relating to instruction.

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 Education**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 349

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 349—An act to add and repeal Part 26.5 (commencing with Section 46700) to the Education Code, relating to education financing.

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 Environmental Safety and Toxic Materials**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 389

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 389—An act to amend Section 25319.1 of the Health and Safety Code, relating to hazardous substances.

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 Public Safety

January 5, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
 Senate Bill No. 635

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

SENATE BILL NO. 635—An act to amend Section 1797.98e of the Health and Safety Code, relating to emergency medical services.

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 Public Safety

January 5, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 26
 Assembly Bill No. 340
 Assembly Bill No. 495
 Assembly Bill No. 891

Assembly Bill No. 930
 Assembly Bill No. 1138
 Assembly Bill No. 1435

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 26—An act to add Section 290.45 to the Penal Code, relating to sex offenders, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 340—An act to add Section 830.53 to the Penal Code, relating to probation officers.

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.

ASSEMBLY BILL NO. 495—An act to amend Sections 290 and 647 of, and to add Section 647.65 to, the Penal Code, relating to crimes.

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.

ASSEMBLY BILL NO. 891—An act to add Section 290.35 to the Penal Code, relating to sex offenders.

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.

ASSEMBLY BILL NO. 930—An act to add Article 6 (commencing with Section 11199.5) to Chapter 2 of Title 1 of Part 4 of the Penal Code, relating to sexual abuse.

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.

ASSEMBLY BILL NO. 1138—An act to amend Section 1534 of the Penal Code, relating to search warrants.

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.

ASSEMBLY BILL NO. 1435—An act to amend Section 1054.5 of, and to add Section 11.5 to, the Penal Code, relating to sanctions.

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 Education**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 42

Assembly Bill No. 1464

Assembly Bill No. 152

Assembly Bill No. 1636

Assembly Bill No. 756

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 42—An act to amend Sections 52122, 52123, 52124, and 52126 of the Education Code, relating to public schools.

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.

ASSEMBLY BILL NO. 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56329, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56506, and 56863 of, to add Section 56440.5 and 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education.

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.

ASSEMBLY BILL NO. 756—An act to amend Sections 51210, 51210.1, 51210.2, 51223, and 60800 of the Education Code, relating to instruction.

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.

ASSEMBLY BILL NO. 1464—An act to add Section 47604.6 to, and to add Chapter 5.5 (commencing with Section 47628) to Part 26.8 of, the Education Code, relating to charter schools.

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.

ASSEMBLY BILL NO. 1636—An act to amend Section 47606 of the Education Code, relating to charter schools.

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 Environmental Safety and Toxic Materials

January 5, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 854

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 854—An act to add Article 9 (commencing with Section 41995) to Chapter 3 of Part 4 of Division 26 of the Health and Safety Code, relating to air quality.

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 Labor and Employment

January 5, 2004

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 89

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 89—An act to amend Section 1776 of the Labor Code, relating to prevailing wages.

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 Health

January 5, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1655

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 1655—An act to add Sections 1798.210, 1798.212, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

January 5, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 204

Assembly Bill No. 775

Assembly Bill No. 338

Assembly Bill No. 1200

Assembly Bill No. 477

Assembly Bill No. 1260

Assembly Bill No. 551

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DUTRA, Chair

ASSEMBLY BILL NO. 204—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 338—An act to amend Section 2108.1 of the Streets and Highways Code, relating to transportation.

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.

ASSEMBLY BILL NO. 477—An act to amend Section 5060 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 551—An act to amend Section 42001 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 775—An act to amend Section 44070.5 of the Health and Safety Code, relating to air quality.

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.

ASSEMBLY BILL NO. 1200—An act to amend Section 27803 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1260—An act to add Section 12804.11 to the Vehicle Code, relating to the Department of Motor Vehicles.

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 Revenue and Taxation**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 82

Assembly Bill No. 1073

Assembly Bill No. 1270

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 82—An act to amend Sections 218 and 17053.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

ASSEMBLY BILL NO. 1073—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.

ASSEMBLY BILL NO. 1270—An act to amend Sections 6377, 17053.49, and 23649 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Business and Professions

January 5, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 224

Assembly Bill No. 395

Assembly Bill No. 250

Assembly Bill No. 1100

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 224—An act to add Title 1.3D (commencing with Section 1748.35) to Part 4 of Division 3 of the Civil Code, relating to identification.

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.

ASSEMBLY BILL NO. 250—An act to amend Sections 146 and 7520.1 of the Business and Professions Code, relating to private investigators.

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.

ASSEMBLY BILL NO. 395—An act to add Section 4826.5 to the Business and Professions Code, relating to veterinarians.

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.

ASSEMBLY BILL NO. 1100—An act to amend Section 4990.3 of, and to add Chapter 10.5 (commencing with Section 4700) to Division 2 of, the Business and Professions Code, relating to alcohol and drug abuse counselors, and making an appropriation therefor.

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 Housing and Community Development

January 5, 2004

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 672

Assembly Bill No. 1320

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LOWENTHAL, Chair

ASSEMBLY BILL NO. 672—An act to add Chapter 12 (commencing with Section 51515) to Part 3 of Division 31 of the Health and Safety Code, relating to housing.

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.

ASSEMBLY BILL NO. 1320—An act to amend Sections 65460.2 and 65460.4 of the Government Code, and to amend Section 33030 of, and to add Chapter 4.7 (commencing with Section 33499) to Part 1 of Division 24 of, the Health and Safety Code, relating to transit village plans.

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 Human Services

January 5, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 1319

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1319—An act to add Section 12302.6 to the Welfare and Institutions Code, relating to social services.

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 Health

January 5, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 321

Assembly Bill No. 1193

Assembly Bill No. 432

Assembly Bill No. 1437

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMMER, Chair

ASSEMBLY BILL NO. 321—An act to add Chapter 8.3 (commencing with Section 10770) to Part 2 of Division 2 of the Insurance Code, relating to health care.

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.

ASSEMBLY BILL NO. 432—An act to add Section 1371.40 to the Health and Safety Code, and to add Section 10123.146 to the Insurance Code, relating to health care coverage.

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.

ASSEMBLY BILL NO. 1193—An act to amend Section 124900 of the Health and Safety Code, relating to health facilities.

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.

ASSEMBLY BILL NO. 1437—An act to add Article 6 (commencing with Section 110424.8) to Chapter 4 of Part 5 of Division 104 of the Health and Safety Code, relating to drug marketing practices.

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 Higher Education

January 5, 2004

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 1564

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1564—An act to amend Sections 56000, 56031, 56195.7, 56205, and 56836.02 of, and add Section 56000.6 to, the Education Code, relating to special education.

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 Environmental Safety and Toxic Materials

January 5, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1699

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 1699—An act to add Article 10.3 (commencing with Section 25214.9) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste, and making an appropriation therefor.

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 Public Safety

January 5, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 876

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 876—An act to amend Section 290.4 of, and to add Section 290.41 to, the Penal Code, relating to sex offenders.

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 Banking and Finance

January 5, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 1000

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WIGGINS, Chair

ASSEMBLY BILL NO. 1000—An act to amend Sections 1502, 2117, 6210, and 8210 of the Corporations Code, and to amend Section 12186 of the Government 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 Human Services

January 5, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 749

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 749—An act to repeal Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 of the Welfare and Institutions Code, relating to public social services.

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 Natural Resources

January 5, 2004

Mr. Speaker: the Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1672

With author's amendments with the recommendation: amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 1672—An act to add Section 41864.5 to the Health and Safety Code, and to amend Section 2827 of the Public Utilities Code, relating to renewable energy.

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 Human Services

January 5, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 917

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 917—An act to add Section 11251 to the Welfare and Institutions Code, relating to CalWORKs, and making an appropriation therefor.

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 Natural Resources

January 5, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 734
Assembly Bill No. 1466

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 734—An act to amend Section 14581 of, and to add Chapter 12.7 (commencing with Section 42648) to Part 3 of Division 30 of, the Public Resources Code, relating to recycling, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 1466—An act to amend Section 42301 of, the Public Resources Code, relating to recycling.

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 Labor and Employment

January 5, 2004

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:

Assembly Bill No. 796
Assembly Bill No. 1127
Assembly Bill No. 1643

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY BILL NO. 796—An act to add Section 6434.5 to the Labor Code, relating to occupational safety and health.

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.

ASSEMBLY BILL NO. 1127—An act to amend Sections 15001, 15002, 15003, 15003.3, 15003.4, 15003.5, 15005, 15006, 15007, 15010, 15011, 15012, 15020, 15020.1, 15020.2, 15020.3, 15020.5, 15021, 15022, 15023, 15024, 15025, 15026, 15028, 15029, 15029.5, 15030, 15031, 15031.5, 15032, 15032.5, 15033, 15034, 15035, 15036, 15037, 15037.1, 15037.3, 15037.5, 15038, 15038.5, 15039, 15039.5, 15039.7, 15040, 15041, 15042, 15043, 15045, 15046, 15050, 15051, 15052, 15053, 15054, 15055, 15056, 15056.6, 15057, 15061, 15071, 15075, 15075.1, 15076, 15077, 15077.5, 15078, 15079, 15081, 15082, and 15087 of, and to amend the heading of Chapter 3 (commencing with Section 15020) of, the heading of Chapter 4 (commencing with Section 15030) of, the heading of Chapter 4.5 (commencing with Section 15035) of, and the heading of Chapter 5 (commencing with Section 15040) of Division 8 of, the Unemployment Insurance Code, relating to unemployment insurance.

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.

ASSEMBLY BILL NO. 1643—An act to amend Sections 2750.5, 3357, 4157, and 5705 of the Labor Code, relating to employment.

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 Public Safety

January 5, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 230

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 230—An act to add Section 3057.3 to the Penal Code, relating to paroles.

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 Jobs, Economic Development, and the Economy

January 5, 2004

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 410
Assembly Bill No. 411

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RIDLEY-THOMAS, Chair

ASSEMBLY BILL NO. 410—An act to add Chapter 4.5 (commencing with Section 15388) to Part 6.7 of Division 3 of Title 2 of the Government Code, relating to economic development.

Bill read second time; author's amendments, presented to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 411—An act to add Chapter 12.9 (commencing with Section 7090) to Division 7 of Title 2 of the Government Code, and to amend Sections 17039 and 23036 of, to add Sections 17052.77 and 23677 to, and to add and repeal Sections 17053.93 and 23693 of, the Revenue and Taxation Code, relating to economic development.

Bill read second time; author's amendments, presented to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

January 5, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 1146
Assembly Bill No. 1474

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1146—An act to amend Section 3003 of the Penal Code, relating to parole.

Bill read second time; author's amendments, presented to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1474—An act to add Section 650 to the Penal Code, relating to loitering.

Bill read second time; author's amendments, presented to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Local Government

January 5, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 312

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 312—An act to amend Section 933 of the Penal Code, relating to grand juries.

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 Education

January 5, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 533

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 533—An act to add Section 17070.37 to the Education Code, relating to the State Allocation Board.

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 Jobs, Economic Development, and the Economy

January 5, 2004

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 1183

With author's amendments with the recommendation: Amend, and re-refer to the committee.

RIDLEY-THOMAS, Chair

ASSEMBLY BILL NO. 1183—An act to add Title 7.76 (commencing with Section 67485) to the Government Code, relating to economic development.

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

January 5, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 129

Assembly Bill No. 955

Assembly Bill No. 193

Assembly Bill No. 1447

Assembly Bill No. 695

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 129—An act relating to the juvenile court.

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.

ASSEMBLY BILL NO. 193—An act to amend Section 6145 of the Business and Professions Code, relating to attorneys.

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.

ASSEMBLY BILL NO. 695—An act to amend Sections 10172 and 10172.5 of the Insurance Code, and to add Sections 249.5, 249.6, and 249.7 to the Probate Code, relating to probate.

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.

ASSEMBLY BILL NO. 955—An act to amend Section 68101 of the Government Code, relating to courts.

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.

ASSEMBLY BILL NO. 1447—An act to amend Section 25249.7 of the Health and Safety Code, relating to toxic substances.

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 Insurance

January 5, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Joint Resolution No. 44

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY JOINT RESOLUTION NO. 44—Relative to Holocaust era insurance policies.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Agriculture

January 5, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 732

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 732—An act to add Sections 599g and 599h to the Penal Code, relating to crime.

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 Business and Professions

January 5, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 940
Assembly Bill No. 1264

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 940—An act to amend Sections 2915, 4980.54, and 4996.22 of, and to add Section 2190.6 to, the Business and Professions Code, relating to healing arts.

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.

ASSEMBLY BILL NO. 1264—An act to amend Section 4216.8 of the Government Code, relating to excavation equipment.

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 Local Government

January 5, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 600

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 600—An act to add Section 65008.5 to the Government Code, relating to land use.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Transportation**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1063

Assembly Bill No. 1511

Assembly Bill No. 1272

Assembly Bill No. 1663

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DUTRA, Chair

ASSEMBLY BILL NO. 1063—An act to add Sections 40447.8, 40447.8.1, 40447.8.3, and 40447.8.4 to, and to add and repeal Section 40447.8.2 of, the Health and Safety Code, relating to air pollution.

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.

ASSEMBLY BILL NO. 1272—An act to amend Sections 14104.2, 14104.5, and 14104.7 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1511—An act to add Section 23101 to the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1663—An act to amend Section 14602.6 of the Vehicle Code, relating to vehicles.

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**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 972

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 972—An act to amend Section 12652 of the Government Code, relating to false claims.

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 Health**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Joint Resolution No. 41

Assembly Joint Resolution No. 43

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY JOINT RESOLUTION NO. 41—Relative to psychotropic drugs and youth.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

ASSEMBLY JOINT RESOLUTION NO. 43—Relative to the Child Medication Safety Act of 2003.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

January 5, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 881
Assembly Bill No. 1424
Assembly Bill No. 1696

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 881—An act to add Section 14105.32 to the Welfare and Institutions Code, relating to Medi-Cal.

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.

ASSEMBLY BILL NO. 1424—An act to add Section 300.7 to the Welfare and Institutions Code, relating to minors.

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.

ASSEMBLY BILL NO. 1696—An act to add Section 104320.5 to the Health and Safety Code, relating to public health.

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 Arts, Entertainment, Sports, Tourism, and Internet Media

January 5, 2004

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 393

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 393—An act relating to historical preservation.

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 Education**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 1126
Assembly Bill No. 1491

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1126—An act to amend Section 17072.10 of the Education Code, relating to school facilities.

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.

ASSEMBLY BILL NO. 1491—An act relating to career technical education.

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 Banking and Finance**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 849

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WIGGINS, Chair

ASSEMBLY BILL NO. 849—An act relating to public agency investments.

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 Housing and Community Development**

January 5, 2004

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 162
Assembly Bill No. 463

Assembly Bill No. 868
Assembly Bill No. 1167

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LOWENTHAL, Chair

ASSEMBLY BILL NO. 162—An act relating to taxation.

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.

ASSEMBLY BILL NO. 463—An act relating to economic development.

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.

ASSEMBLY BILL NO. 868—An act to amend Section 50710.1 of the Health and Safety Code, relating to migrant farm labor centers.

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.

ASSEMBLY BILL NO. 1167—An act to amend Section 50675.2 of the Health and Safety Code, relating to housing.

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.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 69
Assembly Bill No. 664

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 224
Assembly Bill No. 340
Assembly Bill No. 533
Assembly Bill No. 549
Assembly Bill No. 749

And reports the same correctly engrossed.

Assembly Bill No. 854
Assembly Bill No. 1138
Assembly Bill No. 1175
Assembly Bill No. 1260

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 230
Assembly Bill No. 321
Assembly Bill No. 410
Assembly Bill No. 411
Assembly Bill No. 432
Assembly Bill No. 672
Assembly Bill No. 796
Assembly Bill No. 876
Assembly Bill No. 1000
Assembly Bill No. 1127

And reports the same correctly engrossed.

Assembly Bill No. 1146
Assembly Bill No. 1193
Assembly Bill No. 1319
Assembly Bill No. 1320
Assembly Bill No. 1437
Assembly Bill No. 1474
Assembly Bill No. 1564
Assembly Bill No. 1643
Assembly Bill No. 1699

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 26
Assembly Bill No. 42
Assembly Bill No. 89
Assembly Bill No. 152
Assembly Bill No. 349
Assembly Bill No. 389
Assembly Bill No. 495
Assembly Bill No. 756

And reports the same correctly engrossed.

Assembly Bill No. 891
Assembly Bill No. 930
Assembly Bill No. 950
Assembly Bill No. 1435
Assembly Bill No. 1464
Assembly Bill No. 1636
Assembly Bill No. 1655
Assembly Bill No. 1684

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 82
 Assembly Bill No. 204
 Assembly Bill No. 250
 Assembly Bill No. 338
 Assembly Bill No. 395
 Assembly Bill No. 477
 Assembly Bill No. 551
 Assembly Bill No. 734

Assembly Bill No. 775
 Assembly Bill No. 917
 Assembly Bill No. 1073
 Assembly Bill No. 1100
 Assembly Bill No. 1200
 Assembly Bill No. 1270
 Assembly Bill No. 1466
 Assembly Bill No. 1672

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 118

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 430, on request of Assembly Member Chan.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Lieber announced her intention to request that Assembly Bill No. 624 be removed from the inactive file.

RE-REFERENCE OF BILLS

Assembly Member Chan was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 69 from the Committee on Judiciary to the Committee on Business and Professions;

Assembly Bill No. 193 from the Committee on Judiciary to the Committee on Business and Professions;

Assembly Bill No. 224 from the Committee on Business and Professions to the Committee on Housing and Community Development;

Assembly Bill No. 340 from the Committee on Public Safety to the Committee on Transportation;

Assembly Bill No. 533 from the Committee on Education to the Committee on Local Government;

Assembly Bill No. 549 from the Committee on Education to the Committee on Arts, Entertainment, Sports, Tourism, and Internet Media;

Assembly Bill No. 664 from the Committee on Banking and Finance to the Committee on Business and Professions;

Assembly Bill No. 749 from the Committee on Human Services to the Committee on Health;

Assembly Bill No. 854 from the Committee on Environmental Safety and Toxic Materials to the Committee on Public Safety;

Assembly Bill No. 911 from the Committee on Utilities and Commerce to the Committee on Public Safety;

Assembly Bill No. 940 from the Committee on Business and Professions to the Committee on Health;

Assembly Bill No. 955 from the Committee on Judiciary to the Committee on Local Government;

Assembly Bill No. 1138 from the Committee on Public Safety to the Committee on Transportation;

Assembly Bill No. 1175 from the Committee on Banking and Finance to the Committee on Education;

Assembly Bill No. 1260 from the Committee on Transportation to the Committee on Revenue and Taxation;

Assembly Bill No. 1607 from the Committee on Judiciary to the Committee on Environmental Safety and Toxic Materials and back to Judiciary;

Assembly Bill No. 1696 from the Committee on Health to the Committee on Education;

Senate Bill No. 673 from the Committee on Insurance to the Committee on Transportation.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 1126, 1175, 1491, and 1696 for hearing in the Committee on Education on Wednesday, January 7, 2004.

RE-REFERENCE OF BILLS

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 1612 be re-referred from the Committee on Appropriations to the Committee on Governmental Organization.

ADJOURN IN MEMORY

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Harold Haak, of Fresno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dutra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Matthew Parrish Prentice, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cohn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Loyd Williams, of San Jose.

(Assembly Rule 45.5 suspended.)

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 James Owen "Jim Rush", of Oakland.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Mullin and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Mary "Lois" Tinson, of Los Angeles.

(Assembly Rule 45.5 suspended.)

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Chu was granted unanimous consent that the Governor's veto of Assembly Bill No. 94 be stricken from file.

ADJOURN IN MEMORY

Assembly Members La Malfa and Cox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Viola F. Ogden, of Sacramento.

(Assembly Rule 45.5 suspended.)

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 1043, on request of Assembly Member Oropeza.

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of C.H.P. Officer Paul H. Pino, of Lone Pine and Calvin N. Bennett, of Visalia.

(Assembly Rule 45.5 suspended.)

BILLS RETURNED TO UNFINISHED BUSINESS FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the unfinished business file.

Assembly Bill No. 2, on request of Assembly Member Bogh.

GOVERNOR'S VETOES STRICKEN FROM FILE

Assembly Member Mullin was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 642 and 643 be stricken from file.

BILL RETURNED TO SENATE

Assembly Member Correa was granted unanimous consent that Assembly Bill No. 403 be returned to the Senate for further action.

ADJOURN IN MEMORY

Assembly Members Liu and Firebaugh were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elbie J. Hickambottom, of Altadena.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Matthew M. Seivert, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kathleen "Kay" Knight Wigginton, of Carmichael.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mason "Max" Warren, of El Dorado Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carrie Elizabeth Higgins, of Orangevale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Dennis E. Carpenter, who represented the 34th Senate District, 1970–1978.

REPUBLICAN LEADERSHIP CHANGE

Assembly Member Dave Cox addressed the Assembly expressing his honor and pleasure in serving as the Republican Leader since March 2001, whereupon he presented the new Republican Leader Kevin McCarthy.

Republican Leader McCarthy addressed the Assembly and was joined by Assembly Members Cogdill, Bates, Firebaugh, Harman, Steinberg, Pacheco, and Wesson in extending appreciation to Assembly Member Cox for his leadership and extending congratulations to Republican Leader McCarthy.

BILL RETURNED TO SENATE

Assembly Member Negrete McLeod was granted unanimous consent that Assembly Bill No. 1467 be returned to the Senate for further action.

ADJOURN IN MEMORY

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jack Hale, of Auburn.

(Assembly Rule 45.5 suspended.)

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Pacheco was granted unanimous consent that the Governor's veto of Assembly Bill No. 718 be stricken from file.

~~Assembly Member Wiggins was granted unanimous consent that the Governor's veto of Assembly Bill No. 899 be stricken from file.~~

(NOTE: On February 19, 2004, the action was rescinded whereby the Governor's veto of Assembly Bill No. 899 was stricken from file. See page 4596.)

ADJOURN IN MEMORY

Assembly Member Ridley-Thomas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Norman Johnson, of Long Beach.

(Assembly Rule 45.5 suspended.)

GOVERNOR'S VETOES STRICKEN FROM FILE

Assembly Member Koretz was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 274 and 1133 be stricken from file.

Assembly Member Leno was granted unanimous consent that the Governor's veto of Assembly Bill No. 828 be stricken from file.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Nancy Sims, of Los Angeles.

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marvin B. Corlette, M.D., of Laguna Niguel.

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 Robert M. Gaddini, of Palm Desert.

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 Kelly Anne Bates, Diane Coddling, and Art Gotisar, of Santa Rosa.

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Edith Del Prete, of Santa Rosa.

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 Marion Chapman, of Oakland.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clayton Hall, of Placerville.

Assembly Members Maddox and Spitzer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rebecca Righeimer, of Fountain Valley.

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 Robert Stevens Whitmore Jr., of Arcadia.

Assembly Members Mullin and Nation were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patricia Kay Riordan, of Terra Linda.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mary Petsche, of San Mateo.

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 John Lowell Jones, of Stinson Beach and Nancy Swadesh, of Tiburon.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael J. White, of Santa Monica.

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Miller, of Palo Alto and Loyd E. Williams, of San Jose.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740; and Senate Bills Nos. 1005, 131, 407, and 18 were continued until Thursday, January 8, 2004.

VOTE SYSTEM ANNOUNCEMENT

Speaker pro Tempore Kehoe announced that four Member Vote Kiosk computers have been installed in the Assembly Chamber for purpose of processing vote adds and vote changes, effective Tuesday, January 20th. Members are encouraged to see Hugh Slayden of the Chief Clerk's staff for signature registration and to contact the Legislative Data Center Registrar (445-4966, Ext. 1363) to schedule the necessary training.

ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced the following session schedule:

Tuesday, January 6, 2004, Floor Session, 4:30 p.m.

Wednesday, January 7, 2004, Check-in Session, 7 a.m.–3 p.m.

Thursday, January 8, 2004, Floor Session, 9:30 a.m.

MOTION TO ADJOURN

At 3:24 p.m., Assembly Member Lieber moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:25 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Speaker pro Tempore Kehoe introduced former Assembly Member Roderick Wright.

Assembly Member Firebaugh, of the 50th Assembly District, introduced former Assembly Member Sally Havice.

Assembly Member Goldberg, of the 45th Assembly District, introduced Secretary of Education Richard Riordan.

ADJOURNMENT

At 3:26 p.m., pursuant to the motion by Assembly Member Lieber, the Assembly adjourned until 4:30 p.m., Tuesday, January 6, 2004, out of respect to the memory of Dr. Harold Haak, on motion of Assembly Member Reyes; out of respect to the memory of Matthew Parrish Prentice, on motion of Assembly Member Dutra; out of respect to the memory of Loyd Williams, on motion of Assembly Member Cohn; out of respect to the memory of James Owen "Jim Rush", on motion of Assembly Member Corbett; out of respect to the memory of Dr. Mary "Lois" Tinson, on motion of Assembly Members Mullin and Goldberg; out of respect to the memory of Viola F. Ogden, on motion of Assembly Members La Malfa and Cox; out of respect to the memory of Calvin N. Bennett and C.H.P. Officer Paul H. Pino, on motion of Assembly Member Maze; out of respect to the memory of Elbie J. Hickambottom, on motion of Assembly Members Liu and Firebaugh; out of respect to the memory of Matthew M. Seivert, on motion of Assembly Member Cox; out of respect to the memory of Kathleen "Kay" Knight Wigginton, on motion of Assembly Member Cox; out of respect to the memory of Mason "Max" Warren, on motion of Assembly Member Cox; out of respect to the memory of Carrie Elizabeth Higgins, on motion of Assembly Member Cox; out of respect to the memory of Hon. Dennis E. Carpenter, on motion of Assembly Member Cox; out of respect to the memory of Jack Hale, on motion of Assembly Member Daucher; out of respect to the memory of Norman Johnson, on motion of Assembly Member Ridley-Thomas; out of respect to the memory of Nancy Sims, on motion of Speaker Wesson; out of respect to the memory of Marvin B. Corlette, M.D., on motion of Assembly Member Bates; out of respect to the memory of Robert M. Gaddini, on motion of Assembly Member Benoit; out of respect to the memory of Kelly Anne Bates, Diane Coddling and Art Gotisar, on motion of Assembly Member Berg; out of respect to the memory of Edith Del Prete, on motion of Assembly Member Chan; out of respect to the memory of Marion Chapman, on motion of Assembly Member Hancock; out of respect to the memory of Clayton Hall, on motion of Assembly Member Leslie; out of respect to the memory of Rebecca Righeimer, on motion of Assembly Members Maddox and Spitzer; out of respect to the memory of Robert Stevens Whitmore Jr., on motion of Assembly Member Mountjoy; out of respect to the memory of Patricia Kay Riordan, on motion of Assembly Members Mullin and Nation; out of respect to the memory of Mary Petsche, on motion of Assembly Member Mullin; out of respect to the memory of John Lowell Jones and Nancy Swadesh, on motion of Assembly Member Nation; out of respect to the memory of Michael J. White, on motion of Assembly Member Pavley; and out of respect to the memory of Bill Miller and Loyd E. Williams, on motion of Assembly Member Simitian.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 5, 2004

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
26	0321603	854	0322021
42	0322076	868	0322126
82	0321534	876	0321836
89	0321718	881	0322258
129	0321359	891	0321072
152	0320903	917	0321522
162	0321455	930	0321501
193	0320960	940	0322336
204	0321867	950	0321864
224	0322382	955	0322049
230	0322030	972	0322470
250	0322107	1000	0321874
312	0322019	1063	0322080
321	0312677	1073	0321555
338	0311032	1100	0310789
340	0321847	1126	0321748
349	0321138	1127	0321892
389	0321780	1138	0321826
393	0322056	1146	0322299
395	0321744	1167	0321823
410	0321509	1175	0321615
411	0321505	1183	0322417
432	0322031	1193	0321971
463	0400009	1200	0321967
477	0321776	1260	0321204
495	0321011	1264	0322233
533	0322164	1270	0321697
549	0321642	1272	0322505
551	0321481	1319	0321543
600	0322114	1320	0320822
672	0322214	1424	0311266
695	0321772	1435	0321421
732	0322285	1437	0321882
734	0321947	1447	0322113
749	0322090	1464	0321941
756	0321838	1466	0322112
775	0321942	1474	0322302
796	0322199	1491	0312799
849	0322125	1511	0321997

AB	RN	ACR	RN
1564	0322160	118	0321546
1636	0321866		
1643	0322089	AJR	RN
1655	0321927	41	0322474
1663	0321747	43	0322412
1672	0321726	44	0320925
1684	0320171		
1696	0322181	SB	RN
1699	0322218	635	0316426

Daily Total: 92
Cumulative Total: 3026

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 6, 2004

**ONE HUNDRED THIRTY-SECOND SESSION DAY
FOUR HUNDRED FIRST 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
Tuesday, January 6, 2004

The Assembly met at 4:40 p.m.
Hon. Herb J. Wesson, Jr., Speaker 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 Firebaugh moved a quorum call of the Assembly.
Motion carried. Time, 4:41 p.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

At 4:45 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

Quorum Present

At 4:45 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—77:

Aghazarian	Dymally	Lieber	Pavley
Bates	Firebaugh	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
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
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

O Lord, We have many needs, yet more than all other things we honor Your commandments. So help us to consider the needs of others even from the little that we have. If a friend needs our attention, grant us the will to listen. If someone is grieving, let us give comfort. If our neighbor needs bread to eat, may we give him even our last loaf. For we know Your mercy, and have faith in Your power. Lord, grant us Your favor, and bestow it upon us according to Your will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Parra 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 Firebaugh, seconded by Assembly Member McCarthy.

At 4:48 p.m., Speaker Herb J. Wesson, Jr., 47th District, presiding

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Simitian.

On personal business, and waiving per diem: Assembly Member Correa.

To attend a funeral in the District: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 5, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson,

This is a request to be excused from Session on Tuesday, January 6, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

December 23, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Michele Dyke
to California Student Aid Commission

Dear Mr. Wilson: Please be advised I have appointed Ms. Michele Dyke to the California Student Aid Commission. This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2008. Ms. Dyke will be replacing Mr. David Roth.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 23, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of David Roth
to California Student Aid Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. David Roth to the California Student Aid Commission. This is a term appointment starting January 1, 2004 and the expiration date is January 1, 2007. Mr. Roth will be replacing Mr. Richard Verches.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 23, 2003

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Rescinding the Appointment of Paul Kim
to Council on Mentally Ill Offenders

Dear Mr. Wilson: Please be advised I have rescinded the appointment of Commander Paul Kim to the Council on Mentally Ill Offenders as he has declined the appointment. The position remains vacant.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 23, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Reappointment of Larry L. Renner
to Respiratory Care Board of California

Dear Mr. Wilson: Please be advised I have reappointed Mr. Larry L. Renner to the Respiratory Care Board of California. This is a term appointment starting December 23, 2003 and the expiration date is June 1, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 6, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed the following Assemblymembers to the Joint Committee to Develop a Master Plan to End Poverty in California:

Assemblymember Wilma Chan
Assemblymember Bonnie Garcia
Assemblymember Christine Kehoe
Assemblymember Mark Leno
Assemblymember Tim Leslie
Assemblymember Cindy Montanez

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 6, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymembers Dario Frommer and Lois Wolk to replace Assemblymembers Jerome Horton and Fabian Nunez on the Assembly Elections, Redistricting and Constitutional Amendments Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk from:

Linda S. Adams, Director, Department of Water Resources, Sacramento, dated December 23, 2003, relative to waiver of physical inspection of the State Water Project (SWP) and the associated annual report required pursuant to Water Code Section 165.

Referred by the Speaker to the Committee on Water, Parks and Wildlife.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Committee to Develop a Master Plan to End Poverty in California, on Friday, January 9, 2004, at 8 a.m., in San Jose;

Select Committee on Professional Sports, on Thursday, January 22, 2004, at 1:30 p.m., at the Staples Center, in Los Angeles;

Select Committee on Children's School Readiness and Health, on Thursday, February 5, 2004, at 1:30 p.m., in Room 4202.

ENGROSSMENT AND ENROLLMENT REPORT

Assembly Chamber, January 6, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 129
 Assembly Bill No. 162
 Assembly Bill No. 193
 Assembly Bill No. 312
 Assembly Bill No. 393
 Assembly Bill No. 463
 Assembly Bill No. 600
 Assembly Bill No. 695
 Assembly Bill No. 732
 Assembly Bill No. 849
 Assembly Bill No. 868
 Assembly Bill No. 881
 Assembly Bill No. 940
 Assembly Bill No. 955

Assembly Bill No. 972
 Assembly Bill No. 1063
 Assembly Bill No. 1126
 Assembly Bill No. 1167
 Assembly Bill No. 1183
 Assembly Bill No. 1264
 Assembly Bill No. 1272
 Assembly Bill No. 1424
 Assembly Bill No. 1447
 Assembly Bill No. 1491
 Assembly Bill No. 1511
 Assembly Bill No. 1663
 Assembly Bill No. 1696

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 6, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 41
 Assembly Joint Resolution No. 43
 Assembly Joint Resolution No. 44

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1794—Dutra. An act to repeal Section 104339.6 of the Health and Safety Code, relating to spinal cord injury, and making an appropriation therefor.

ASSEMBLY BILL NO. 1795—Bermudez. An act to add Section 41858 to the Education Code, relating to school transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 145—Nakano. Relative to the Martin L. Ganz Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 146—Chan. Relative to women's heart health.

ASSEMBLY CONCURRENT RESOLUTION NO. 147—Cohn. Relative to California Holocaust Memorial Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 148—Cohn. Relative to Domestic Violence Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 149—Cohn. Relative to Health Cares About Domestic Violence Day.

HOUSE RESOLUTION NO. 38—Liu, Chan, Chu, Shirley Horton, Nakanishi, Nakano, and Yee (Principal coauthors: Frommer and Ridley-Thomas). Relative to Korean-American Day.

AUTHOR'S AMENDMENTS**Committee on Veterans Affairs**

January 6, 2004

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 279

With author's amendments with the recommendation: Amend, and re-refer to the committee.

PARRA, Chair

ASSEMBLY BILL NO. 279—An act to amend Section 987.88 of the Military and Veterans Code, relating to veterans, 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.

AUTHOR'S AMENDMENTS**Committee on Transportation**

January 6, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 392

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DUTRA, Chair

ASSEMBLY BILL NO. 392—An act relating to environmental justice.

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 Revenue and Taxation**

January 6, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 238

Assembly Bill No. 1073

Assembly Bill No. 1510

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

ASSEMBLY BILL NO. 238—An act relating to parks and resources.

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.

ASSEMBLY BILL NO. 1073—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

ASSEMBLY BILL NO. 1510—An act to amend Section 71 of the Revenue and Taxation Code, relating to taxation.

Bill read third time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

January 6, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 517

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DUTRA, Chair

ASSEMBLY BILL NO. 517—An act to amend Section 923 of the Labor Code, relating to employment.

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 Business and Professions

January 6, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 664

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 664—An act to amend Section 5000.5 of the Business and Professions Code, relating to boards.

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 Public Employees, Retirement and Social Security

January 6, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 979

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 979—An act to add Chapter 11 (commencing with Section 3550) to Division 4 of Title 1 of the Government Code, relating to employer-employee relations.

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 Local Government

January 6, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 470

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 470—An act to add Section 65008.5 to the Government Code, relating to land use.

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 Utilities and Commerce

January 6, 2004

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 489.

With author's amendments with the recommendation: Amend, and re-refer to the committee.

REYES, Chair

ASSEMBLY BILL NO. 489—An act relating to energy resources.

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 Health

January 6, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1091

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 1091—An act to amend Sections 104190, 104191, and 104193 of, and to add Section 104195 to, the Health and Safety Code, relating to disease prevention.

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 Governmental Organization

January 6, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 1612

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1612—An act to add Section 30057 to the Government Code, relating to public safety funds.

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 Business and Professions

January 6, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
 Assembly Bill No. 932

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 932—An act to amend Section 2472 of the Business and Professions Code, relating to podiatric medicine.

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 Public Safety

January 6, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1224

Assembly Bill No. 1446

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1224—An act relating to sex offenders.

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.

ASSEMBLY BILL NO. 1446—An act to amend Section 8463 of the Education Code, relating to child care.

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 Human Services

January 6, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 379

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 379—An act to amend Section 8289 of the Education Code, relating to child care.

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 Health

January 6, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 750

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 750—An act to add Section 14161.5 to the Welfare and Institutions Code, relating to Medi-Cal.

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 Arts, Entertainment, Sports, Tourism, and Internet Media

January 6, 2004

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 614
Assembly Bill No. 1356

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 614—An act to add Chapter 1.5 (commencing with Section 18500) to Division 8 of the Business and Professions Code, relating to athletic trainers.

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.

ASSEMBLY BILL NO. 1356—An act to amend Section 15364.52 of the Government Code, relating to tourism.

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 Housing and Community Development

January 6, 2004

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 1732

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LOWENTHAL, Chair

ASSEMBLY BILL NO. 1732—An act to add Section 1350.5 to, and to add chapter and article headings to Title 6 (commencing with Section 1350) of Part 4 of Division 2 of, the Civil Code, and to amend Sections 18951, 18952, 18953, 18954, 18955, 18958, 18959, 18960, and 18961 of, and to add Section 50515.2 to, the Health and Safety Code, relating to buildings and housing.

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 Agriculture

January 6, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1454

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1454—An act to add Section 12835 to the Food and Agricultural Code, and to add Section 116183 to the Health and Safety Code, relating to the West Nile virus.

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 Agriculture

January 6, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 1071

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1071—An act to amend, repeal, and add Section 15061 of the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

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.

REPORTS OF STANDING COMMITTEES
Committee on Transportation

Date of Hearing: May 5, 2003

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1651

With amendments with the recommendation: Amend, and do pass, as amended.

DUTRA, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Higher Education reports:
Assembly Concurrent Resolution No. 139

With amendments with the recommendation: Amend, and be adopted as amended.

LIU, Chair

Above resolution ordered to second reading.

REQUEST FOR PHOTOGRAPHER

Assembly Member Firebaugh was granted unanimous consent that photographers be permitted on the Floor of the Assembly, and in the Assembly Gallery.

RECESS

By unanimous consent, at 4:49 p.m., Speaker Wesson declared the Regular Session of the Assembly recessed.

IN JOINT CONVENTION

At 4:50 p.m., the Senate and Assembly met in Joint Convention. Hon. Herb J. Wesson, Jr., Speaker of the Assembly, presiding.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Speaker Wesson appointed Assembly Members Nunez, Shirley Horton, Kehoe, Lowenthal, Liu, and Maddox and Senators Ortiz, Brulte, Johnson, Romero, Perata, and Poochigian as a Joint Committee on Escort to escort Governor Arnold Schwarzenegger to the Joint Convention.

INTRODUCTION OF FIRST LADY OF CALIFORNIA

Speaker Wesson introduced Maria Shriver, First Lady of California, to the Joint Convention.

**INTRODUCTION OF CONSTITUTIONAL OFFICERS
AND SPECIAL GUESTS**

Speaker Wesson introduced Hon. Cruz Bustamante, Lieutenant Governor; Hon. Bill Lockyer, Attorney General; Hon. Kevin Shelley, Secretary of State; Hon. Phil Angelides, Treasurer; Hon. Steve Westly, Controller; Hon. Jack O'Connell, Superintendent of Public Instruction; Hon. John Garamendi, Insurance Commissioner; and Board of Equalization Members: Hon. Carole Migden (District 1); Hon. Bill Leonard (District 2); Hon. Claude Parrish (District 3); and Hon. John Chiang (District 4).

INTRODUCTION OF SUPREME COURT JUSTICES

Speaker Wesson introduced Hon. Ronald M. George, Chief Justice of California; and Associate Justices Hon. Joyce L. Kennard, Hon. Marvin R. Baxter, Hon. Kathryn M. Werdegar, Hon. Ming Chin, Hon. Janice Rogers Brown, and Hon. Carlos Moreno.

PRESENTATION OF PRESIDENT PRO TEMPORE OF THE SENATE

Speaker Wesson then presented the Honorable John Burton, President pro Tempore of the Senate.

PRESENTATION OF LIEUTENANT GOVERNOR

President pro Tempore Burton then presented the Honorable Cruz M. Bustamante, Lieutenant Governor and President of the Senate.

PRESENTATION OF GOVERNOR

Lieutenant Governor Bustamante then presented the Honorable Arnold Schwarzenegger, Governor of the State of California, to the Joint Convention.

ADDRESS BY GOVERNOR

Governor Schwarzenegger then proceeded to address the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 5:29 p.m., there being no further business, Speaker Wesson declared the Joint Convention adjourned *sine die*.

IN ASSEMBLY

At 5:30 p.m., the Assembly reconvened.

Hon. Herb J. Wesson, Jr., Speaker of the Assembly, presiding.

GOVERNOR'S ADDRESS PRINTED IN JOURNAL

Without objection, the following text of Governor Arnold Schwarzenegger's State of the State Address was printed in the Journal:

State of the State Address**Governor Arnold Schwarzenegger****January 6, 2004**

Lieutenant Governor Bustamante, Speaker Herb Wesson, President Pro Tem John Burton, Senate Republican Leader Jim Brulte, Assembly Republican Leader Kevin McCarthy, Speaker Designate Fabian Nunez, Distinguished Members of the Legislature, Chief Justice of California Ron George and Associate Justices, Members of the Board of Equalization, my fellow Constitutional Officers, esteemed Cabinet Secretaries, friends, my fellow Californians, and last but not least, the First Lady, my partner, and the love of my life, Maria Shriver.

People have said to me, "Arnold, isn't it a terrible burden being governor at a time of such crisis?"

I tell them, no, not at all. I love working for the people of California. It is better than being a movie star. It gives me great joy and satisfaction. I am honored to do this work for the people.

I am optimistic about our state.

The state of our state will soon be strong . . . because our people and our purpose are strong.

We have a new spirit, a new confidence. We have a new common cause in restoring California to greatness.

I saw greatness achieved only three days ago, when the rover "Spirit" landed on Mars. I want to congratulate the many talented scientists at NASA's Jet Propulsion Laboratory in Pasadena, California, who have demonstrated once again that we here in California are the launching pad for the extraordinary.

Now let us do the extraordinary.

Tonight I will talk about the progress we've made, the problems we have yet to overcome, and the path we will follow to overcome them.

I have no doubt that, together, Californians are more than a match for the challenges we face.

I feel good because I believe we have made progress in rebuilding the people's trust in their government.

The first thing I did as governor was to repeal the tripling of the car tax.

This massive tax increase was a desperate act of a government out of control.

That could not be allowed to stand.

Repealing that illegal tax increase was the right thing to do.

During the campaign I promised that cities and counties would not bear the cost of the repeal.

It would be irresponsible of the state to take that money away from counties and cities.

That is why I acted to keep the money flowing for firefighters and police.

They did not raise the car tax, and they should not bear the burden of its rollback.

Together, we in this chamber repealed SB 60, which endangered the very integrity of the California driver's license.

Rescinding that law was the right thing to do. And I thank you for your bipartisan support.

Together, we put measures on the March ballot that, if passed by the people, will save our state from a June bankruptcy.

June is the month when billions of dollars in past loans come due and the financial house of cards built over the last half decade is set to collapse.

When individuals overspend themselves into trouble, financial counselors often tell them to consolidate their credit card balances so they can work their way out of trouble—and also tear up their credit cards.

That is what our California Recovery Plan is all about.

We took the debt we inherited from the previous administration, the debt that threatens us with bankruptcy, and we rolled it into a 15 billion dollar recovery bond.

Then we tore up the credit card.

We passed a balanced budget amendment.

And we created a rainy day fund for future hard times and emergencies.

Never again will government be allowed to spend money it doesn't have.

Never again will the state be allowed to borrow money to pay its operating expenses.

You in this room have done that for the people of California.

No one here got everything he or she wanted. We compromised. This, too, was the right thing to do. I thank you and I congratulate you.

Now I ask you to join me in getting out the message that a "yes" vote on these measures on the March ballot is absolutely critical to our financial future.

The alternative is economic chaos.

In a bipartisan effort to help our citizens understand how important this bond is to California, I am proud to say that our State Controller, Steve Westly, a businessman and financial leader, will be co-chairing with me the California Recovery Bond Committee.

With passage of these measures, we will have dodged the first bullet, the 2003–2004 budget deficit.

But the second bullet—the second financial crisis— has already left the barrel and is headed right at us.

I am talking about the 2004–2005 budget deficit—which is another staggering 15 billion dollars.

The 2004–2005 budget, which begins July 1st, is the one that we must now negotiate.

These huge budget deficits are the aftershocks of past financial recklessness.

What happened is this.

Over the last five years, the state's income increased 25 percent, but spending increased 43 percent. This was irresponsible.

The fact of the matter is that we do not have a tax crisis; we do not have a budget crisis; we have a spending crisis.

We cannot tax our way out of this problem. More taxes will destroy what we're trying to save—jobs and revenue.

Jobs bring revenue to the state, and revenue allows us to do the right things for education, for the environment, for the disabled, the elderly and all those in need.

A tax increase would be the final nail in California's financial coffin. The people of California did not elect me to destroy jobs and businesses by raising taxes.

I will not make matters worse.

We have no choice but to cut spending, which is what caused the crisis in the first place.

These are cuts that will challenge us all.

But we cannot give what we do not have.

If we continue spending and don't make cuts, California will be bankrupt.

And a bankrupt California cannot provide services to anyone.

Members of the Legislature, you will receive my proposals in the days ahead.

These are proposals that leadership requires, economics demand, and the public expects.

These cuts will not be easy but they will not be forever.

Let us move quickly to put the excesses of the past behind us and get on with the promise that beckons before us.

I would like to thank all those in the labor community who are working with us to do just that.

I would like to thank those in the education community who are working with us to allow the state to save money while still increasing per pupil funding.

Everyone must play a part in this.

I respect the sovereignty of our Native American tribes, and I believe they also respect the economic situation that California faces. In the next couple of days, I will announce our negotiator who will work with the gaming tribes, so that California receives its fair share of gaming revenues.

Every cloud has a silver lining. The good news is that the spending crisis forces us to bring badly needed reform to government.

Although the transition will be difficult, in the end we will have a leaner, more efficient and more responsive state government.

A necessary place to start is education.

We must make better use of the money we spend on schools.

My proposal gets more money into the classroom and thus increases per pupil funding.

First, we must give local schools the power to meet the specific needs of their own communities.

We can do this by consolidating two billion dollars of categorical programs and cutting the strings to Sacramento.

This will give schools the freedom to spend the money as they—not Sacramento—best see fit to serve the children.

Second, school districts are forced to spend on average 10 to 40 percent more than necessary on non-classroom services.

We must give local schools the freedom to be cost efficient.

One way to do this is to repeal SB 1419, the law that prevents schools from contracting out services such as busing and maintenance.

This will free up more money for textbooks and other vital classroom needs.

In the last two years, college fees have increased over 40 percent.

We must end the boom-and-bust cycle of widely fluctuating fees with a predictable, capped fee policy for college students and their parents.

And we must limit fee increases to no more than ten percent a year.

Like our K through 12 schools, our colleges and universities must also share the burden of the fiscal crisis, but we must work to expand the dream of college.

And we must not let the dream bypass our Central Valley.

That is why my budget will fund UC's tenth campus—UC Merced.

We cannot afford waste and fraud in any department or agency.

Every governor proposes moving boxes around to reorganize government.

I don't want to move the boxes around; I want to blow them up.

The Executive Branch of this government is a mastodon frozen in time and about as responsive.

This is not the fault of our public servants but of the system.

We have multiple departments with overlapping responsibilities. I say consolidate them.

We have boards and commissions that serve no pressing public need. I say abolish them.

We have a state purchasing program that is archaic and expensive. I say modernize it.

I plan a total review of government—its performance, its practices, its cost.

Some of the recommended actions, I will make by executive order. Some will require legislation. And some will need constitutional change. I want your ideas and the more radical the better.

And to California's state employees, I want to thank you for your hard work under trying circumstances.

I also want your ideas, because I want to give you freedom to do your jobs in creative ways.

Now, in addition to restoring our state's finances and responsiveness, we must restore the state's business climate.

Creating and retaining jobs—and the businesses that provide them—must be a priority of this Legislature.

Jobs provide a solid foundation for families.

Jobs add revenues to the state budget.

Jobs give stability to our society.

Jobs. Jobs. Jobs.

The more jobs the better.

I am going to become California's Job Czar.

I'm going to travel the nation and the world to find those jobs.

I'm going to say, "Come to California. Come do business here. Buy our fantastic products. Visit our special attractions. Hire our workers, who are the most productive in the world."

I am a salesman by nature. And now most of my energies will go to selling California, and California is the easiest sell I've ever had.

But we have to fix the state's business climate. And we must start with workers' compensation reform.

Our workers' comp costs are the highest in the nation—nearly twice the national average.

California employers are bleeding red ink from the workers' comp system.

Our high costs are driving away jobs and businesses.

My proposal brings California's workers' comp standards and costs in line with the rest of the country.

To heal injured workers, it emphasizes the importance of health care and doctors rather than attorneys and judges.

It requires nationally recognized guidelines for permanent disability.

And it provides for innovative approaches.

I call on the Legislature to deliver real workers' comp reform to my desk by March 1st. Modest reform is not enough.

If modest reform is all that lands on my desk, I am prepared to take my workers' comp solution to the people. It will be on the November ballot.

This year we also have the highest unemployment insurance costs in the nation. Our system is flat broke.

So that people could get their checks, last month I had to ask Washington for a billion dollar loan to bail us out.

Unemployment checks are an important safety net.

We must fix the system, and I need your help.

California's approach to energy is another barrier to jobs and economic growth.

We have a flawed regulatory structure.

Our businesses pay energy rates nearly twice as high as those in other western states.

In California, we have thirteen different state energy agencies.

Something is wrong when it's easier to create energy agencies than power plants.

California's energy crisis is not over.

If we do not act now, California will face energy shortages as early as 2006.

To prevent this, we must reform the wholesale power market to attract new energy investment.

We must reform the retail market so large customers can get competitive prices.

And we must renegotiate those high-priced electricity contracts that locked us into energy prices at the market's peak.

Closely connected to energy is the environment.

And while we are promoting jobs, promoting California, I am also going to promote our commitment to the environment.

I am going to encourage the building of a hydrogen highway to take us to the environmental future.

I am going to encourage builders to build homes using partial solar power.

I am going to create a Green Bank to make loans to retrofit old, energy-inefficient buildings.

I intend to show the world that economic growth and the environment can coexist.

And if you want to see it, come to California.

During the campaign, I said that I would make sure that California got its fair share of federal tax dollars.

The congressional delegations of other states work together to bring home federal dollars, but the divisions in California have been too deep to do that effectively.

In December, however, we held a historic meeting in Palm Springs.

At a bipartisan retreat, the California congressional delegation and I agreed to put party and district boundaries aside and speak with one united voice in Washington.

We agreed to fight side-by-side to get more federal tax money for homeland security, criminal aliens, water resources, highways, and other needs.

Let me tell you another area where we must cooperate.

California's naval facilities, our air bases, our supply centers, our training commands have helped our nation produce the best trained and equipped military in the world.

I was in Baghdad last year. I met soldiers who call California home. I met soldiers who trained here and served here.

California has a proud history of military support.

The Pentagon will make the next round of base closures in 2005. This could mean thousands of lost jobs to California.

These bases are important to the national defense, and they are important to our steady economic recovery.

As a state, we will fight to keep our bases open.

We Californians need to work together at all levels of government. In the days and weeks ahead we have decisions coming at us that are the most difficult any legislator or governor has faced in the history of our state.

We have decisions approaching that will inflame passions and potentially create division.

I want to tell you a true story that relates to this.

During the terrible fires that burned California, I went to the funeral of Steven Rucker, the firefighter who died in the service of his fellow citizens.

He left behind a wonderful wife, two children and heartbroken parents.

After the service, I said to Steven's mother and father, "If there is anything I can do for you, please let me know."

His father looked at me for a few seconds . . . and in his grief with tears in his eyes he said, "Arnold, if you really want to do something in honor of my son, go to Sacramento and stop the politicians from fighting. Stop the fighting. It's hurting the people and destroying our state."

Ladies and gentlemen, let us remember those words in the days and weeks ahead.

Let us remember the greater good of California.

I remain a great believer in the future of this state.

I did not seek this job to cut . . . but to build.

I did not seek this job to preside over the decline of a dream but to renew it.

President Reagan said that empires were once defined by land mass, subjugated peoples, and military might.

But America, he said, is "an empire of ideals."

California, I believe, is an empire of hope and aspiration.

Never in history have such big dreams come together in one place.

Never in history has such an array of talent and technology converged at one time.

Never in history has such a free and diverse community of people lived and worked under one political system.

This is a wonderful place—California—this empire of aspirations.

Great things can be done in California.

Ladies and gentlemen, let us help Californians do great things.

Thank you very much.

At 5:30 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 624, on request of Assembly Member Lieber.

ADJOURN IN MEMORY

Assembly Member Campbell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ian McGrew, of San Francisco.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roger Silva, Jesse Davis, David Hutchens, and Suzanne Hashagen, of Livermore.

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 Harriet Rich, of Pasadena.

MOTION TO ADJOURN

At 5:30 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member McCarthy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 5:31 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 5:31 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, January 7, 2004, out of respect to the memory of Ian McGrew, on motion of Assembly Member Campbell; out of respect to the memory of Roger Silva, Jesse Davis, David Hutchens, and Suzanne Hashagen, on motion of Assembly Member Houston; and out of respect to the memory of Harriet Rich, on motion of Assembly Member Mountjoy.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 6, 2004**

The following measures were amended in the Assembly on this day:

AB	RN	
39	0321880	
238	0400004	
279	0321641	
379	0322511	
470	0322471	
489	0400006	
517	0321890	
614	0400040	
664	0321070	
750	0400064	
932	0400072	
979	0321950	
1071	0322311	
1073	0322478	
1091	0322484	
1224	0320754	
1356	0321752	
1446	0321542	
1454	0322362	
1510	0321552	
1612	0400068	
1732	0400043	
		Daily Total: 22
		Cumulative Total: 3048

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 7, 2004

**ONE HUNDRED THIRTY-THIRD SESSION DAY
FOUR 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
Wednesday, January 7, 2004

The Assembly met at 7 a.m.

Hon. Simon Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—69:

Aghazarian	Garcia	Lowenthal	Plescia
Bates	Goldberg	Maddox	Reyes
Benoit	Hancock	Maldonado	Richman
Berg	Harman	Matthews	Ridley-Thomas
Bogh	Haynes	Maze	Runner
Calderon	Horton, Shirley	McCarthy	Salinas
Campbell	Houston	Montanez	Samuelian
Canciamilla	Jackson	Mountjoy	Spitzer
Chu	Keene	Mullin	Steinberg
Cohn	Koretz	Nakanishi	Strickland
Correa	La Malfa	Nakano	Vargas
Cox	La Suer	Nation	Wiggins
Daucher	Laird	Negrete McLeod	Wyland
Diaz	Leno	Nunez	Yee
Dutra	Leslie	Oropeza	Mr. Speaker
Dymally	Levine	Pacheco	
Firebaugh	Liu	Parra	
Frommer	Longville	Pavley	

Quorum present.

At 2:22 p.m., Hon. Joe Canciamilla, 11th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bermudez, Chan, Chavez, Cogdill, Corbett, Dutton, Jerome E. Horton, Kehoe, Lieber, and Simitian.

On legislative business, per diem waived for the 2003–2004 Session (See Assembly Journal, page 126): Assembly Member Wolk.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 5, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Check-In Session on Wednesday, January 7, 2004, for legislative business in my district.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

RUDY BERMUDEZ, Assembly Member
Fifty-sixth District

January 5, 2004

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I am requesting to be excused from Check-In Session on Wednesday, January 7, 2004, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

January 6, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker Wesson: I respectfully request that I be excused from Check-in Session on Wednesday, January 7, 2004. The purpose is to attend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

January 5, 2004

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check in session on Wednesday, January 7, 2004. I will be in my district on legislative business.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

January 6, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday January 7, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

January 5, 2004

*Assemblyman Herb Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby request permission to be excused from check-in session on Wednesday, January 7, 2004, to attend the Governor's Blue Ribbon Fire Commission in Ventura. I have been appointed by the Governor to sit on this Commission.

Thank you for your cooperation in this matter.

Sincerely,

BOB DUTTON, Assembly Member
Sixty-third District

January 6, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Wednesday, January 7, 2004, due to legislative business in my district. I will be returning to Sacramento on Thursday, January 8, 2004, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

December 22, 2003

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Wednesday, January 7, 2003 due to legislative business.

I am a Member of the Blue Ribbon Fire Commission and wish to attend the next Commission meeting held in Ventura, California.

Thank you for your consideration in this matter.

Sincerely,

CHRISTINE KEHOE
Speaker pro Tempore

January 6, 2004

*The Honorable Herb Wesson
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: I would like to be excused from check-in session on January 7, 2004, due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Matt Moretti at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

January 5, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Wednesday, January 7, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

January 6, 2004

The Honorable Herb Wesson, Jr.
Speaker, California State Assembly
State Capitol
Sacramento, California

Dear Speaker Wesson: I respectfully request to be excused from check-in session Wednesday, January 7, 2004, due to a district roundtable I am hosting.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

January 7, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed the following members to the Select Committee on Childhood Obesity and Related Diabetes:

Assemblymember Wilma Chan
Assemblymember Judy Chu
Assemblymember Mervyn Dymally
Assemblymember Marco Firebaugh
Assemblymember Dario Frommer
Assemblymember Bonnie Garcia
Assemblymember John Longville
Assemblymember Cindy Montanez
Assemblymember Keith Richman
Assemblymember Mark Ridley-Thomas
Assemblymember Simon Salinas

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

Proposed Initiatives

The following communications were presented by the Chief Clerk 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 initiatives, pursuant to Section 9007, Elections Code:

**Use of Authorized or King James Bible
as Textbook for Grades One Through Twelve.**

Initiative Constitutional Amendment. SA 2003RF0054, Amdt. #1-NS

Referred by the Speaker to the Committee on Education.

**Stem Cell Research. Funding. Bonds.
Initiative Constitutional Amendment and Statute.
SA 2003RF0055, Amdt. #1-NS**

Referred by the Speaker to the Committee on Health.

**Local Funds and Revenues. State Mandates.
Initiative Constitutional Amendment. SA 2003RF0053, Amdt. #2-NS**

Referred by the Speaker to the Committee on Local Government.

**Reapportionment.
Initiative Constitutional Amendment. SA 2003RF0056, Amdt. #1-S**

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

From Tricia Knight, Initiative Coordinator, Department of Justice, dated December 12, 2003, transmitting copies of the ballot titles and summaries and ballot labels, March 2, 2004 Primary Election Ballot in accordance with the provisions of Elections Code sections 9050–9051, 13247, 13281–13282, and Government Code sections 88002–88003.

**Proposition (Number to be provided by Secretary of State's Office.)
Health Care Coverage Requirements. Referendum.
(Chapter 673, Statutes of 2003)**

Referred by the Speaker to the Committees on Health and Elections, Redistricting and Constitutional Amendments.

From Tricia Knight, Initiative Coordinator, Department of Justice, dated December 14, 2003, transmitting copies of the ballot labels, March 2, 2004 Primary, in accordance with the provisions of Elections Code sections 9050–9051, 13247, 13281–13282, and Government Code sections 88002–88003.

**Proposition 57
The Economic Recovery Bond Act.
(Chapter 2, Statutes of 2003, 5th Extraordinary Session)**

Referred by the Speaker to the Committees on Budget and Elections, Redistricting and Constitutional Amendments.

**Proposition 58
The California Balanced Budget Act.
(Resolution Chapter 1, Statutes of 2003, 5th Extraordinary Session)**

Referred by the Speaker to the committees on Budget and Elections, Redistricting and Constitutional Amendments.

REPORTS

The following reports were presented by the Chief Clerk:

**Contractors Complaint Report Fiscal Year 2002–2003
(Pursuant to Public Contract Code Section 10262.5)**

Above transmitted report, together with letter of transmittal from William J. Jefferds, ED.D., Director, Department of General Services, dated November 21, 2003, referred by the Speaker to the Committee on Business and Professions.

**AB 320 Portable Classroom Egress Study
(Pursuant to Assembly Bill 320, Chapter 634, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from William J. Jefferds, ED.D., Director, Department of General Services, dated November 20, 2003, referred by the Speaker to the Committee on Education.

**Public Utilities Commission's Annual Report
for Fiscal Year 2002–2003
(Pursuant to Public Utilities Code Section 316)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated December 1, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Pesticide's Compliance Assessment Performance Report
(Pursuant to Supplemental Report of the 2002 Budget Act)**

Above transmitted report, together with letter of transmittal from Paul Helliker, Director, Department of Pesticide Regulation, dated June 23, 2003, referred by the Speaker to the Committee on Budget.

**Contracting Activity Report for Fiscal Year 2002–2003
(Pursuant to Public Contract Code Section 10115.5 and
Military and Veterans Code 999.7)**

Above transmitted report, together with letter of transmittal from Paula Reddish Zinnemann, Department of Real Estate, dated October 1, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Employment Development Department
Unemployment Insurance Fund Forecast
(Pursuant to Unemployment Insurance Code Section 995)**

Above transmitted report, together with letter of transmittal from Michael S. Bernick, Director, Employment Development Department, dated November 24, 2003, referred by the Speaker to the Committee on Insurance.

**Evaluation of the California
Child Abuse Treatment (CHAT) Program
Final Report of the California State University, Long Beach**

Above transmitted report, together with letter of transmittal from Shirley Wang, Acting Chief Deputy Director, Governor's Office of Criminal Justice Planning, dated November 26, 2003, referred by the Speaker to the Committee on Public Safety.

**The Oak Woodlands Conservation Act of 2001 Report
(Pursuant to Assembly Bill 242, Chapter 588
Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Al Wright, Executive Director, Wildlife Conservation Board, dated December 2, 2003, referred by the Speaker to the Committee on Natural Resources.

**Annual Project Activity Report
Concerning the Renewable Energy Program
(Pursuant to Supplemental Report of the 1999 Budget Act)**

Above transmitted report, together with letter of transmittal from John L. Geesman, Commissioner and Presiding Member, Renewables Committee, California Energy Commission, dated December 1, 2003, referred by the Speaker to the Committee on Budget.

2002–2003 Annual Consulting Services Report

Above transmitted report, together with letter of transmittal from David Nahigian, Chief, Business Management, Business Management Unit, Department of Managed Health Care, dated July 15, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Disabled Veterans Bond Services Participation Report
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Theresa A. Parker, Executive Director, California Housing Finance Agency, dated November 26, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Electric Transmission Plan for
Renewable Resources in California
(Pursuant to Senate Bill 1038, Chapter 515
Statutes of 2002)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated December 4, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**CSUSB (California State University, San Bernardino)
Center for the Study of Correctional Education
Report on Deliverables to the California Department of Education
(Pursuant to Senate Bill 505, Chapter 536, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated December 4, 2003, referred by the Speaker to the Committee on Higher Education.

**California State Lottery Fund
Financial Statements, September 30, 2003
(Prepared from Books Without Audit)
(Pursuant to Government Code Section 8880.22)**

Above transmitted report, together with letter of transmittal from Dennis Sequeira, Chief Deputy Director, Finance and Administration Division, California Lottery, dated December 5, 2003, referred by the Speaker to the Committee on Governmental Organization.

**California Energy Resources Scheduling Activities and
Expenditures Report, Quarter Ended March 31, 2003
(Pursuant to Assembly Bill 1X (Chapter 4, Statutes of 2001
First Extraordinary Session))**

Above transmitted report, together with letter of transmittal from Linda S. Adams, Director, Department of Water Resources, dated December 19, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Kapiloff Land Bank Report
(Pursuant to Public Resources Code Section 8618)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated December 9, 2003, referred by the Speaker to the Committee on Natural Resources.

Ethnicity/Race/Gender Business Ownership Report

Above transmitted report, together with letter of transmittal from Howard Iwata, Assistant Executive Director, San Francisco Bay Conservation and Development Commission, dated December 15, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**California Energy Commission's
Renewable Resources Development Report
(Pursuant to Senate Bill 1038, Chapter 151, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from John L. Geesman, Commissioner and Presiding Member, Renewables Committee, California Energy Commission, dated December 2, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

Faculty Compensation

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated December 10, 2003, referred by the Speaker to the Committee on Budget.

**Collaborative Academic Preparation Initiative (CAPI)
(Pursuant to Supplemental Language of the 2001 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated December 5, 2003, referred by the Speaker to the Committee on Budget.

**Early Assessment Academic Preparation Program
(Pursuant to Supplemental Report to the 2003–04 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated December 5, 2003, referred by the Speaker to the Committee on Budget.

**Disabled Veterans Business Enterprise Report
for Year Ended June, 30, 2003
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Catherine Witherspoon, Executive Officer, Air Resources Board, dated December 8, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**AB 312 Expenditure Plan II for 2003–04 “State-Monitored” Title I Schools
School Assistance and Intervention Team (SAIT) and Corrective Actions
(Pursuant to Assembly Bill 312, Chapter 1020, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Jack O’Connell, State Superintendent of Public Instruction, Department of Education, dated December 9, 2003, referred by the Speaker to the Committee on Education.

**Transitioning to Non-Metal Antifouling Paints on
Marine Recreational Boats In San Diego Bay
(Pursuant to Senate Bill 315, Chapter 469, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Raynor Tsuneyoshi, Director, Department of Boating and Waterways, dated December 9, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

Disabled Veterans Business Enterprise Report 2002–2003

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated December 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Ethnic/Race/Gender Business Ownership Report
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Joan Rabang, Director, Quality Management and Control—Transitional Program, Franchise Tax Board, dated December 30, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Assessing the Energy Savings Potential in California's Existing Buildings:
An Interim Report to the Legislature in Response to AB 549
(Pursuant to Assembly Bill 549, Chapter 905, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Robert Pernell, Commissioner and Presiding Member, Efficiency Committee, California Energy Commission, dated December 22, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Sustainable Communities Grant and Loan Program
Annual Report of Activities 2003
(Pursuant to Health and Safety Code Section 44525.6)**

Above transmitted report, together with letter of transmittal from Steven J. Sakurai, Executive Director, California Pollution Control Financing Authority, dated December 30, 2003, referred by the Speaker to the Committee on Local Government.

**California Recycle Underutilized Sites (Cal Re USE) Program
Annual Report of Activities 2003
(Pursuant to Health and Safety Code Section 44525.7)**

Above transmitted report, together with letter of transmittal from Steven J. Sakurai, Executive Director, California Pollution Control Financing Authority, dated December 30, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

DVBE Contracting Activity for FY 2002–2003

Above transmitted report, together with letter of transmittal from Wendy Voss, Contracts Analyst, California Horse Racing Board, dated December 22, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Disabled Veteran-Owned Business Enterprise Participation
Report for Fiscal Year 2002–2003**

Above transmitted report, together with letter of transmittal from Sandi Conry, Acquisitions Manager, Administrative Services, Department of Food and Agriculture, dated December 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Ethnic/Race/Gender Business Ownership Report
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Nancy E. Bither, Deputy Director Support Services, Gambling Control Commission, dated December 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Minority/Women/Disabled Veteran-Owned Business Enterprise
Ownership Report
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Lynne S. Coffin, State Public Defender, Office of State Public Defender, dated December 30, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

Contracting Activity Report for Fiscal Year 2002–2003

Above transmitted report, together with letter of transmittal from Jack Nolan, Business Service Officer, California State Library, dated December 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2002–2003 Annual
Disabled Veterans Business Enterprise (DVBE) Report**

Above transmitted report, together with letter of transmittal from Christopher J. Murphy, Deputy Director, Business, Transportation and Housing Agency, Office of Traffic Safety, dated January 2, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Homicide in California 2002
(Pursuant to Penal Code Section 13014)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated December 23, 2003, referred by the Speaker to the Committee on Public Safety.

**2003 California Physical Fitness Testing
(Pursuant to Education Code Section 60800)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated December 26, 2003, referred by the Speaker to the Committee on Education.

**California State Rail Plan 2001–02 through 2010–11
(Pursuant to Government Code Section 9795)**

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 December 23, 2003, referred by the Speaker to the Committee on Transportation.

**Annual Report on Contracting Activity with
Ethnicity, Race, Gender, and Minority, Women, Disabled Veteran-Owned
Business Participation Report**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, State Teacher's Retirement System, dated December 30, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Statistical Report on 805 Reports Received
(Pursuant to Business and Professions Code Section 806)**

Above transmitted report, together with letter of transmittal from Sherry Mehl, Executive Officer, Board of Behavioral Sciences, dated December 29, 2003, referred by the Speaker to the Committee on Business and Professions.

**Reimbursable State Transportation Improvement Program (STIP)
Projects Implemented Prior to Allocation
(Pursuant to Government Code Section 14529.19)**

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 December 23, 2003, referred by the Speaker to the Committee on Transportation.

**Public Payphone Programs Report
(Pursuant to Supplemental Report of the 2002 Budget Act
Item 8660-001-0491)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated December 17, 2003, referred by the Speaker to the Committee on Budget.

**Annual Railroad Safety Activity Report
(Pursuant to Public Utilities Code Sections 309.7 and 765.6)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated December 11, 2003, referred by the Speaker to the Committee on Transportation.

**Evaluation Study of
the Immediate Intervention/Underperforming School Program and
the High Achieving/Improving Schools Program of
the Public Schools Accountability Act of 1999 Final Report
(Pursuant to Education Code Section 52058)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated December 18, 2003, referred by the Speaker to the Committee on Education.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 7, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 238
Assembly Bill No. 279
Assembly Bill No. 379
Assembly Bill No. 392
Assembly Bill No. 470
Assembly Bill No. 489
Assembly Bill No. 517
Assembly Bill No. 614
Assembly Bill No. 664
Assembly Bill No. 750
Assembly Bill No. 932

Assembly Bill No. 979
Assembly Bill No. 1071
Assembly Bill No. 1073
Assembly Bill No. 1091
Assembly Bill No. 1224
Assembly Bill No. 1356
Assembly Bill No. 1446
Assembly Bill No. 1454
Assembly Bill No. 1510
Assembly Bill No. 1612
Assembly Bill No. 1732

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1796—Leno. An act to add Section 18901.3 to the Welfare and Institutions Code, relating to human services.

ASSEMBLY BILL NO. 1797—Bermudez. An act to add Section 2020.5 to the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 1798—Levine. An act to add Section 22507.1 to the Vehicle Code, relating to vehicles.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 21—Bogh and Spitzer. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (d) of Section 1 of Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 150—Levine. Relative to the Moretti-Hertzberg State Building.

ASSEMBLY CONCURRENT RESOLUTION NO. 151—Cox. Relative to George M. Clark Memorial Bicycle Bridge.

ASSEMBLY JOINT RESOLUTION NO. 54—Pacheco. Relative to the federal medicaid assistance percentage.

ASSEMBLY JOINT RESOLUTION NO. 55—Reyes (Coauthors: Bermudez, Diaz, Montanez, and Pavley). Relative to the federal Violence Against Children Act of 2003.

AUTHOR'S AMENDMENTS**Committee on Health**

January 7, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1686

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 1686—An act to add Article 15 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code, and to amend Section 1371.35 of the Health and Safety Code, relating to health care.

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 Insurance**

January 7, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 700

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance.

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 Housing and Community Development**

January 7, 2004

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Assembly Bill No. 269

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LOWENTHAL, Chair

ASSEMBLY BILL NO. 269—An act relating to housing.

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 Public Safety

January 7, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1694

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1694—An act to add Section 1824 to the Insurance Code, relating to bail services.

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 Human Services

January 7, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 649

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 649—An act to amend Section 103625 of the Health and Safety Code, and to amend Section 4646.5 of, and to add Chapter 13 (commencing with Section 4850) to Division 4.5 of, the Welfare and Institutions Code, relating to developmental disabilities.

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 Health

January 7, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 216

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 216—An act to add Article 6 (commencing with Section 23500) to Chapter 3 of Division 9 of the Business and Professions Code, and to add Chapter 4.5 (commencing with Section 11759.7) to Part 1 of Division 10.5 of the Health and Safety Code, relating to alcohol recovery and prevention.

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.

REPORTS OF STANDING COMMITTEES

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

May 12, 2003

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 885

COHN, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 410

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

RIDLEY-THOMAS, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Labor and Employment

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 1643

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:

Assembly Bill No. 1127

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

KORETZ, Chair

Above bill re-referred to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1651—An act to add Chapter 28.5 (commencing with Section 22928) to Division 8 of the Business and Professions Code, relating to transportation.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY CONCURRENT RESOLUTION NO. 139—Relative to the Charles R. Drew Postgraduate Medical School.

Resolution read; amendments proposed by the Committee on Higher Education read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9:30 a.m., Thursday, January 8, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 7, 2004**

The following measures were amended in the Assembly on this day:

AB RN

216 0400063

269 0400079

649 0400145

700 0321889

1651 0312464

1686 0322460

1694 0322259

ACR RN

139 0321850

Daily Total: 8**Cumulative Total: 3056**

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 8, 2004

**ONE HUNDRED THIRTY-FOURTH SESSION DAY
FOUR HUNDRED THIRD 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, January 8, 2004

The Assembly met at 9:30 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, 9:31 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 9:39 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	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Houston	Mountjoy	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakanishi	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	Koretz	Nation	Wolk
Cox	La Malfa	Negrete McLeod	Wyland
Daucher	La Suer	Nunez	Yee
Diaz	Laird	Oropeza	Mr. Speaker
Dutra	Leno	Pacheco	

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, God Almighty, You know all things before they occur. We call upon You at this hour to be present with us and to redeem us. Cleanse our mind and thoughts from vain desires and harmful influences. Deliver us from all evil things and grant that we may always please, worship, and glorify You forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Wolk 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 Member was granted leave of absence for the day:

On legislative business: Assembly Member Maddox.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 5, 2004

*The Honorable Herb Wesson
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, January 8th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1651

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, January 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 139
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 216
Assembly Bill No. 269
Assembly Bill No. 649
And reports the same correctly engrossed.

Assembly Bill No. 700
Assembly Bill No. 1686
Assembly Bill No. 1694

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:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1312 -----	W.,P. & W.
1609 -----	B. & P. and Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
142 -----	Trans.
143 -----	Rls.
145 -----	Trans.
146 -----	Rls.
147 -----	Rls.
148 -----	Rls.
149 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
38 -----	Rls.

REPORTS OF STANDING COMMITTEES

Committee on Public Safety

January 5, 2004

Mr. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 39	Assembly Bill No. 865
Assembly Bill No. 336	Assembly Bill No. 1445
Assembly Bill No. 863	

LENO, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Rules

Date of Hearing: January 8, 2004

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 38

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to third reading.

Committee on Education

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 42

Assembly Bill No. 1636

Assembly Bill No. 1696

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

GOLDBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 756

Assembly Bill No. 1175

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 152

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

GOLDBERG, Chair

Above bill re-referred to the Committee on Appropriations.

REQUEST FOR PHOTOGRAPHER

Assembly Member Nunez was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

At 10:02 a.m., Speaker Herb J. Wesson, Jr., 47th District, presiding

NOMINATIONS FOR SPEAKER OF THE ASSEMBLY

Speaker Wesson announced that, without objection, nominations are now open for the Office of Speaker, to be sworn in on February 9, 2004 or upon a vacancy, whichever occurs first.

At 10:03 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

Nominations from the Floor

Speaker Wesson nominated Assembly Member Fabian Nunez for the Office of Speaker of the Assembly.

At 10:14 a.m., Speaker Herb J. Wesson, Jr., 47th District, presiding

Nomination Seconded

Assembly Members McCarthy, Negrete McLeod, Vargas, Dymally, Cohn, and Firebaugh seconded the nomination of Assembly Member Fabian Nunez for the Office of Speaker of the Assembly.

NOMINATIONS CLOSED

There being no further nominations, the Speaker declared nominations for the Office of Speaker of the Assembly closed.

MOTION BY ASSEMBLY MEMBER FIREBAUGH

Assembly Member Firebaugh moved that the Rules and precedent be suspended to allow Assembly Member Fabian Nunez to be elected to the Office of Speaker, to be sworn in on February 9, 2004, or upon a vacancy, whichever occurs first, by a voice vote.

Upon request of Speaker Wesson, all Members in favor of electing Assembly Member Fabian Nunez to the Office of Speaker responded by saying "Aye", whereupon Speaker Wesson declared Assembly Member Nunez the choice of the Assembly for the Office of Speaker.

ADDRESS BY SPEAKER-ELECT NUNEZ

Speaker-elect Nunez approached the Dais, whereupon he addressed the assemblage.

At 10:43 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

BILLS RETURNED TO SENATE

Assembly Member Negrete McLeod was granted unanimous consent that Assembly Bill No. 1588 be returned to the Senate for further action, and Assembly Member Liu was granted unanimous consent that Assembly Bill No. 1068 be returned to the Senate for further action.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 896, on request of Assembly Member Diaz.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Parra announced her intention to request that Assembly Bill No. 488 be removed from the inactive file.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Chan was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Environmental Safety and Toxic Materials to set Assembly Bill No. 1454 for hearing, on Wednesday, January 14, 2004, pending re-referral to the committee.

RE-REFERENCE OF BILLS

Assembly Member Chan was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 1109 from the Committee on Judiciary, to the Committee on Public Safety;

Assembly Bill No. 1320 from the Committee on Housing and Community Development, to the Committee on Local Government.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

SENATE BILL NO. 18 RECONSIDERED BY UNANIMOUS CONSENT

In compliance with a motion given, Assembly Member Steinberg was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 18 was refused passage; and that the bill be placed upon the inactive file.

DESK HELD OPEN

Assembly Member Chan was granted unanimous consent that the Assembly Desk remain open on Friday, January 9th to receive the Governor's Budget.

RE-REFERENCE OF BILLS

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 1363 be re-referred from the Committee on Appropriations to the Committee on Health.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Dutra was granted unanimous consent that the Governor's veto of Assembly Bill No. 692 be stricken from file.

Assembly Member Nation was granted unanimous consent that Assembly Bill No. 183 be stricken from file.

GOVERNOR'S VETO PLACED ON INACTIVE FILE

The following Governor's veto was placed upon the inactive file:
Assembly Bill No. 1245, on request of Assembly Member Laird.

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of the following victims of the Waterman Canyon mudslide:

From St. Sophia Camp in Waterman Canyon: Jorge Monzon, Clara Monzon, Wendy Monzon, Raquel Monzon, Jeremias Monzon, Jose Pablo Navarro, Joleila Navarro, Miguel Navarro, Rosa Najera-Juarez, Catherine Juarez, Ramon Meza, Edgar Meza, Eduardo David Meza, of San Bernardino; and Ivan Navarro, of Fontana.

From KOA Campground in Devore: Janice Arlene Stout-Bradley, of Devore; and Carol Eugene Nuss, of Willington, KS.

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kyle Joseph Viola Goodwin, of Exeter.

(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 Connie Faure, of Long Beach.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wyland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Martin W. Garrick, of San Diego.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 G. Michael Curls, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Koretz, Levine, Goldberg, and Pavley were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mimi Robbins, of Los Angeles.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740 and Senate Bills Nos. 1005, 131, and 407 were continued until the next legislative day.

SPECIAL RECOGNITION

Assembly Member Steinberg recognized Andrea Jackson who is leaving the California State Capitol after 11 years of exemplary service to him and to the 9th Assembly District, whereupon he was joined by the Members of the Assembly in extending best wishes in her future endeavors.

**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 1651, ordered to third reading.

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 Delphine Moranda Belotti, of Eureka and John Richard Koser, of Fullerton.

Assembly Members Canciamilla and Houston were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Donald Pretti, of Walnut Creek.

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Patricia Dempster, of Martinez.

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth Herbert Benson, of San Diego and Danielle Delgadillo, of Paradise Hills.

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 Victor A. Eckles, of Stockton.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Monsignor Thomas G. Kleinhans, of Visalia.

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 Dr. Jim Ortner, of Rancho Palos Verde.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Livingston Grant, of Vallejo and Delman Hague, of Davis.

CAUCUS ANNOUNCEMENTS

Assembly Member Bogh announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

MOTION TO ADJOURN

At 11:03 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Leslie 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.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:04 a.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1799—Mullin and Bates. An act to amend Sections 18761 and 18766 of the Revenue and Taxation Code, relating to taxation.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 152—Diaz and Lieber (Coauthors: Cohn, Laird, and Salinas) (Coauthor: Senator Sher). Relative to Michael P. Evanhoe Interchange.

**AUTHOR'S AMENDMENTS
Committee on Agriculture**

January 8, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:

Assembly Bill No. 1726

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 1726—An act to amend Section 47021 of the Food and Agricultural Code, relating to agriculture.

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 Health**

January 8, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 1596

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 1596—An act to amend Section 14105.39 of the Welfare and Institutions Code, relating to Medi-Cal.

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 Health

January 8, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 432

With author's amendments with the recommendation: Amend, and re-refer to the committee.

FROMMER, Chair

ASSEMBLY BILL NO. 432—An act to amend Section 1346.1 of the Health and Safety Code, relating to health care service plans.

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 Human Services

January 8, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 1319

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 1319—An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to social services.

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 Business and Professions

January 8, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 932
Assembly Bill No. 1388
Assembly Bill No. 1609

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 932—An act to amend Sections 2472 and 2484 of, and to amend and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

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.

ASSEMBLY BILL NO. 1388—An act to amend Section 144 of, and to add Chapter 10.5 (commencing with Section 4600) to Division 2 of, the Business and Professions Code, and to repeal Chapter 6 (commencing with Section 51030) of Part 1 of Division 1 of Title 5 of the Government Code, relating to massage therapy, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 1609—An act relating to public contracts.

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, January 8, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1209

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

January 8, 2004

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 403 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

January 8, 2004

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 902 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 12 Noon Monday, January 12, 2004, out of respect to the memory of Jorge Monzon, Clara Monzon, Wendy Monzon, Raquel Monzon, Jeremias Monzon, Jose Pablo Navarro, Ivan Navarro, Joleila Navarro, Miguel Navarro, Rosa Najera-Juarez, Catherine Juarez, Ramon Meza, Edgar Meza, Eduardo David Meza, Janice Arlene Stout-Bradley, and Carol Eugene Nuss, on motion of Assembly Member Mountjoy; out of respect to the memory of Kyle Joseph Viola Goodwin, on motion of Assembly Member Maze; out of respect to the memory of Connie Faure, on motion of Assembly Member Lowenthal; out of respect to the memory of Martin W. Garrick, on motion of Assembly Member Wyland; out of respect to the memory of G. Michael Curls, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Mimi Robbins, on motion of Assembly Members Koretz, Levine, Goldberg, and Pavley; out of respect to the memory of Delphine Moranda Belotti and John Richard Koser, on motion of Assembly Member Berg; out of respect to the memory of James Donald Pretti, on motion of Assembly Members Canciamilla and Houston; out of respect to the memory of Patricia Dempster, on motion of Assembly Member Canciamilla; out of respect to the memory of Kenneth Herbert Benson and Danielle Delgadillo, on motion of Assembly Member Shirley Horton; out of respect to the memory of Victor A. Eckles, on motion of Assembly Member Matthews; out of respect to the memory of Monsignor Thomas G. Kleinhans, on motion of Assembly Member Reyes; out of respect to the memory of Dr. Jim Ortner, on motion of Assembly Member Spitzer; and out of respect to the memory of Livingston Grant and Delman Hague, on motion of Assembly Member Wolk.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 8, 2004**

The following measures were amended in the Assembly on this day:

AB	RN	
432	0400337	
932	0400177	
1319	0400363	
1388	0322466	
1596	0400147	
1609	0321165	
1726	0400118	
Daily Total:		7
Cumulative Total:		3063

CALIFORNIA LEGISLATURE

2003–04 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 12

Assembly Chamber, Sacramento
Friday, January 9, 2004

The following Assembly Journal was printed for introduction of the Governor's Budget, in compliance with Article IV, Sec. 12(a) of the Constitution, and pursuant to unanimous consent granted on Thursday, January 8, 2004, for introduction of Assembly Bills.

COMMUNICATIONS

The following communication was presented by the Speaker and ordered printed in the Journal:

Governor's Office, Sacramento
January 8, 2004

The Honorable John Burton, President pro Tempore

The Honorable Jim Brulte, Senate Republican Leader

The Honorable Herb Wesson, Assembly Speaker

The Honorable Kevin McCarthy, Assembly Republican Leader

The Honorable Wesley Chesbro,

Chair, Senate Budget and Fiscal Review Committee

The Honorable Dick Ackerman,

Vice-Chair, Senate Budget and Fiscal Review Committee

The Honorable Jenny Oropeza, Chair, Assembly Budget Committee

The Honorable Rick Keene, Vice-Chair, Assembly Budget Committee

Dear Members: As you know, the Governor's Budget will be released tomorrow. As is tradition, when the Governor begins presenting his budget we will provide each office with a copy of the Budget Summary along with a CD-Rom of the Budget.

This is the first year the Governor's Office will distribute the Budget on CD-Rom. We are very pleased and excited to set this precedent as we anticipate it will prove to be an effective cost saving measure; an estimated 12 million cubic pounds of paper will be saved with this change.

We hope that you will welcome this change. If there are any questions please feel free to contact the Legislative Affairs office at 445-4341.

Sincerely,

RICHARD COSTIGAN III
Legislative Secretary

MESSAGES FROM THE GOVERNOR

The following Budget message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
January 9, 2004

To the Senate and Assembly of the Legislature of California:

In compliance with Article IV, Section 12 of the California Constitution, I hereby submit to you the 2004–05 Governor's Budget.

Never before has California been faced with a fiscal challenge of such an incredible magnitude. As the first phase of my outside audit of state government revealed, we must confront an inherited debt that is now estimated to be a staggering \$22 billion.

But at the same time, never has there been such an opportunity to fundamentally change the way business is done in Sacramento—and, an opportunity to implement reforms that will make California solvent and strong once again.

The budget I have put before you sets California on a clear path of recovery.

First, it calls for difficult but necessary steps to begin to bring the amount of money we spend in line with the amount of money the state takes in.

Second, it reflects fundamental reform proposals throughout state government—in K–12 education, in higher education, in health and human service programs, and more. These reform proposals make sense not only from a budgetary perspective, but from a policy perspective as well.

And third, it puts the state on a path to recovery without raising taxes, which would only serve to blunt the economic recovery we are now beginning to realize.

No one should underestimate the size of the task that is before us. The debt that this administration inherited did not occur in a single year. And given the size of the state's fiscal crisis, nearly every area of state government will be asked to shoulder some of the sacrifice that will be required.

But that is what the people who sent us here expect us to do—face our problems squarely and make the right decisions for the people.

We have already demonstrated to the people of California that we can put aside politics as usual. Late last year, we cast aside partisan differences and worked together to approve the California Recovery Plan for the March ballot—a bond of up to \$15 billion to refinance a portion of the inherited debt, coupled with new requirements for a balanced budget, a rainy-day budget reserve, and authority to control overspending—before it grows out of control.

It is this spirit of bipartisan cooperation that I hope will guide our debate over the state budget in the weeks and months ahead. By working together to address the state's fiscal crisis in a responsible manner, we can once again show the people of California that we are worthy of the trust they have placed in us.

Sincerely,

ARNOLD SCHWARZENEGGER

Accompanying CD-Rom of the Budget and printed Budget Summary ordered filed with the Secretary of State.

RECEIPT

I acknowledge receipt this 9th day of January 2004 at 12:45 p.m., of the CD-Rom Budget and accompanying printed Budget Summary for the 2004–05 fiscal year, together with an explanatory message delivered to me personally by Pam Oto.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

INTRODUCTION OF ASSEMBLY BILLS

The following bill was introduced:

ASSEMBLY BILL NO. 1800—Oropeza. An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 12, 2004

**ONE HUNDRED THIRTY-FIFTH SESSION DAY
FOUR HUNDRED SEVENTH 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, January 12, 2004

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 Laird 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 12:07 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 Creator of All Things, You are uncreated nature, without beginning and existing forever. We raise our hearts and minds to You this morning and proclaim that You, O God, are holy. In imitation of the angelic powers on high, we who are on earth offer a hymn of victory to You saying, Holy, Holy, Holy are You. O God, have mercy on us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Mountjoy 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.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

December 20, 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 Rick Keene and Sharon Runner to replace Assemblymembers Patricia Bates and John Campbell on the Joint Legislative Budget Committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

December 29, 2003

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Rescinding Appointment of Eugene Masuda
to Protection and Advocacy, Inc., Board of Directors

Dear Mr. Wilson: Please be advised I have rescinded the appointment of Mr. Eugene Masuda to the Protection and Advocacy, Inc., Board of Directors due to a misunderstanding concerning the expiration date of the previous appointee, Ms. Karen Lynn-Chlup. She continues as the appointee and her revised expiration date is September 21, 2005.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 6, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Correction of Expiration Date of Michael Chang
to California Earthquake Insurance Authority Advisory Panel

Dear Mr. Wilson: Please be advised I have corrected the expiration date of Mr. Michael Chang to the California Earthquake Insurance Authority Advisory Panel. The correct expiration date is February 12, 2006.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 9, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Lou Correa to replace Assemblymember Fabian Nunez on the Assembly Governmental Organization Committee for the Monday, January 12th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 9, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have removed Assemblymember Fabian Nunez from the Assembly Health Committee, creating a vacancy on the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Simon Salinas to fill the vacancy on the Assembly Revenue and Taxation Committee for the Monday, January 12th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Patricia Bates to replace Assemblymember Guy Houston as Vice Chair on the Assembly Transportation Committee and have appointed Assemblymember Russ Bogh to replace Assemblymember Patricia Bates as a member of the committee for the Monday, January 12th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 12, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have removed Assemblymember Fabian Nunez from the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

January 7, 2004

*The Honorable Richard Alarcon, Co-Chair
Joint Committee to Develop a Master Plan
to End Poverty in California
State Capitol, Room 4035
Sacramento, California*

Dear Senator Alarcon: The Senate Rules Committee has appointed the following members to serve on the Joint Committee to Develop a Master Plan to End Poverty in California: Senators Chesbro, Perata, Romero and Vincent (2 vacancies remain).

Sincerely,

JOHN L. BURTON
Chairman

January 5, 2004

*E. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson,

This letter is to officially announce that as of Monday, January 5, 2004, the new Assembly Republican Leadership team is as follows.

Kevin McCarthy—Assembly Republican Leader
Russ Bogh—2nd Ranking Republican Leader/Caucus Chair
Assistant Leader—Rick Keene
Assistant Leader—Sharon Runner
Assistant Leader—Ray Haynes
Rules Vice Chair—Dave Cogdill
Whips: Greg Aghazarian
John Benoit
Doug La Malfa
George Plescia
Todd Spitzer
Mark Wyland

If you have any questions regarding this letter, please contact Julie Sauls at 319-2032.

It is an honor working with you in the California State Assembly.

Sincerely,

KEVIN MCCARTHY
Assembly Republican Leader

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 12, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 432	Assembly Bill No. 1596
Assembly Bill No. 932	Assembly Bill No. 1609
Assembly Bill No. 1319	Assembly Bill No. 1726
Assembly Bill No. 1388	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

FIRST READING OF ASSEMBLY BILLS

The following bill was read the first time:

ASSEMBLY BILL NO. 1800—Oropeza. An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1801—Pavley (Coauthor: Wolk) (Coauthor: Senator Kuehl). An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

ASSEMBLY BILL NO. 1802—Bogh (Principal coauthor: Senator Battin). An act to amend Section 374.3 of the Penal Code, relating to illegal dumping.

ASSEMBLY BILL NO. 1803—Bermudez. An act to add Section 3407 to the Penal Code, and to add Section 1753.5 to the Welfare and Institutions Code, relating to inmates.

ASSEMBLY BILL NO. 1804—Dutra (Principal coauthor: Nation) (Coauthor: Mullin). An act to amend Section 10754 of the Revenue and Taxation Code, and to repeal Item 9100-102-0001 of Section 2.00 of Chapter 157 of the Statutes of 2003, relating to vehicle license fees, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1805—Levine. An act relating to farm-raised salmon.

ASSEMBLY BILL NO. 1806—Spitzer. An act to amend Section 1026.2 of the Penal Code, relating to release from commitment.

ASSEMBLY BILL NO. 1807—Liu. An act to amend Sections 94700, 94705, 94711, 94714, 94715, 94716, 94717, 94718, 94719, 94721, 94723, 94724, 94725, 94726, 94729, 94730, 94731, 94736, 94737, 94739, 94740, 94741, 94744, 94746, 94750, 94760, 94774.5, 94778, 94780, 94800, 94802, 94804, 94806, 94808, 94809, 94810, 94814, 94816, 94818, 94820, 84821, 94822, 94823, 94824, 94826, 94828, 94830, 94831, 94832, 94836, 94838, 94840, 94841, 94842, 94846, 94850, 94854, 94900, 94901, 94915, 94925, 94930, 94931, 94932, 94934, 94935, 94940, 94942, 94947, 94970, and 94999 of, to amend, renumber, and add Section 94931.1 of, to amend and repeal Section 94742.1 of, to add Sections 94710.5, 94755, 94756, 94757, 94761, 94815, 94849, 94931.3, and 94943 to, to repeal Sections 94720, 94727, 94742.2, 94785, 94786, 94787, 94790, 94795, 94814.5, 94834, 94835, 94851, 94852, 94855, 94856, 94857, 94859, 94860, 94861, 94862, 94863, 94864, 94866, 94867, 94868, 94869, 94870, 94871, 94872, 94873, 94874, 94875, 94876, 94877, 94878, 94879, 94880, 94881, 94882, 94905, 94920, and 94936 of, and to repeal Chapter 3 (commencing with Section 94300) of Part 59 of, the Education Code, relating to private postsecondary education, and making an appropriation therefor.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 153—Montanez (Coauthors: Benoit, Chavez, Dymally, Garcia, Hancock, Laird, Levine, Liu, Maze, Nakano, Nation, Salinas, and Wolk) (Coauthors: Senators Alpert, Bowen, Dunn, Escutia, and Machado). Relative to Cervical Cancer Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 154—Matthews. Relative to Elder and Dependent Adult Abuse Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 155—Jerome Horton (Coauthors: Dymally, Longville, Ridley-Thomas, and Wesson) (Coauthors: Senators Murray and Vincent). Relative to Dr. Martin Luther King, Jr. Day.

ASSEMBLY JOINT RESOLUTION NO. 56—Frommer and Koretz (Coauthors: Chavez, Goldberg, Jackson, Leno, Mullin, Nation, Ridley-Thomas, and Vargas) (Coauthors: Senators Alpert, Romero, and Scott). Relative to the extension of the 1994 ban on assault weapons.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Banking and Finance, on Thursday, in the Tom Bane Rules Committee Room, upon adjournment of Floor Session;

Select Committee on Megan’s Law and Sex Offender Registration, on Friday, at 10 a.m., at the San Jose City Council Chambers;

Select Committee on Childhood Obesity and Related Diabetes, on Friday, February 13, 2004, at 2 p.m., in San Francisco;

Arts, Entertainment, Sports, Tourism, and Internet Media, on Friday, February 6, 2004, at 1 p.m., in San Jose;

Banking and Finance, on Tuesday, February 3, 2004, at 1:30 p.m., in Sacramento.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
144 -----	B. & P.
150 -----	B. & P.
151 -----	Trans.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
53 -----	Health
54 -----	Health
55 -----	Pub. S.

AUTHOR’S AMENDMENTS

Committee on Water, Parks and Wildlife

January 12, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:

Assembly Bill No. 1312

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CANCIAMILLA, Chair

ASSEMBLY BILL NO. 1312—An act relating to public works.

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 Insurance

January 12, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 700

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance.

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

January 12, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1714

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1714—An act to amend Section 1281.6 of, and to add Section 1281.83 to, the Code of Civil Procedure, relating to arbitration.

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 Public Employees, Retirement and Social Security

January 12, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:
Senate Bill No. 438

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

SENATE BILL NO. 438—An act relating to state employees, 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.

AUTHOR'S AMENDMENTS**Committee on Elections, Redistricting and Constitutional Amendments**

January 12, 2004

Mr. Speaker: The Chair of your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 1784

Assembly Bill No. 1785

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.

ASSEMBLY BILL NO. 1785—An act to amend Section 86205 of 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.

REPORTS OF STANDING COMMITTEES**Committee on Elections, Redistricting and Constitutional Amendments**

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 622

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LONGVILLE, Chair

Above bill ordered to second reading.

Committee on Higher Education

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Higher Education reports:

Assembly Bill No. 1564

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LIU, Chair

Above bill ordered to second reading.

Committee on Elections, Redistricting and Constitutional Amendments

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 1623

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LONGVILLE, Chair

Above bill ordered to second reading.

Committee on Labor and Employment

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Labor and Employment reports:
Assembly Bill No. 796

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

KORETZ, Chair

Above bill ordered to second reading.

Committee on Jobs, Economic Development, and the Economy

Date of Hearing: January 6, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 411
Assembly Bill No. 1183

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

RIDLEY-THOMAS, Chair

Above bills ordered to second reading.

Committee on Education

Date of Hearing: January 7, 2004

Mr. Speaker: Your Committee on Education reports:
Assembly Bill No. 1126

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bill ordered to second reading.

CAUCUS ANNOUNCEMENTS

At 12:09 p.m., Assembly Member Kehoe was granted unanimous consent that the Democratic Caucus be permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 12:09 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 1:02 p.m., the Assembly reconvened.
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

BILLS RETURNED TO SENATE

The following bills were returned to the Senate for further action, by unanimous consent:

Assembly Bill No. 1306, upon request of Assembly Member Leno;
Assembly Bill No. 800, upon request of Assembly Member Kehoe.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 217, on request of Assembly Member Chan.

REQUEST FOR PHOTOGRAPHER

Assembly Member Liu was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

PARLIAMENTARY INQUIRY

Assembly Member Mountjoy arose to the following parliamentary inquiry:

How will the law relative to Assembly Bill No. 846 (smoking near building entrances) be enforced?

Reply by Speaker pro Tempore Kehoe

The Speaker pro Tempore replied that the Chair of Rules Committee will provide a briefing as to how the law will be implemented.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Water, Parks and Wildlife Committee be permitted to meet on Thursday, January 15, 2004, at 9 a.m. or upon adjournment of Floor Session, and that Joint Rule 62(a) be waived on Assembly Bill No. 1312; and that Budget Subcommittee No. 4 be permitted to convene jointly with the Select Committee on Prison Construction and Operations, on Thursday, January 15, 2004, at 1 p.m., and that Joint Rule 62(a) be waived.

ADJOURN IN MEMORY

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Major Julian Palmer (USAF Ret.), of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Mullin and Steinberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eddy Wynschenk, of San Bruno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elaine Beers Garrett, of Glendale.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Private Jesse Mizener, of Auburn.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steven M. Rodriguez, of Pacoima.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 42—An act to amend Section 56505.2 of the Education Code, relating to special education.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1636—An act to amend Section 49558 of the Education Code, relating to pupil records.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1696—An act to amend Section 60041 of the Education Code, and to amend Section 71304 of the Public Resources Code, relating to instructional materials.

Bill read second time, and ordered to Consent Calendar.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1192 (Dutra)—An act to amend Section 65863 of the Government Code, relating to land use, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Daucher	La Suer	Nunez	Yee
Diaz	Laird	Oropeza	Mr. Speaker
Dutra	Leno	Pacheco	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on the urgency clause and on Concurrence in Senate Amendments to Assembly Bill No. 1192: Assembly Member Pavley from "Aye" to "Not Voting".

Above bill ordered enrolled.

**CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 1
BY UNANIMOUS CONSENT**

Assembly Member Nation was granted unanimous consent to take up Senate Constitutional Amendment No. 1 out of order, for purpose of consideration.

SENATE CONSTITUTIONAL AMENDMENT NO. 1 (Burton)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article I thereof, relating to access to government information.

Resolution read third time, and presented by Assembly Member Nation.

Resolution adopted by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	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	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Resolution ordered transmitted to the Senate.

**CONSIDERATION OF HOUSE RESOLUTION NO. 38
BY UNANIMOUS CONSENT**

Assembly Member Liu was granted unanimous consent to take up House Resolution No. 38 out of order, for purpose of consideration.

HOUSE RESOLUTION NO. 38 (Liu)—Relative to Korean-American Day.
Resolution read.

Members Made Coauthors of House Resolution No. 38

Assembly Member Liu was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 38.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chavez, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Liu was granted unanimous consent to take up House Resolution No. 38, as amended, without reference to print or file.

Consideration of House Resolution No. 38, as Amended

HOUSE RESOLUTION NO. 38—Relative to Korean-American Day.
Resolution read, as amended, and adopted.

RECESS

By unanimous consent, at 1:27 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Liu introduced the following guests from the Los Angeles Chapter of the Centennial Committee of Korean Immigration:

Dr. Byung Wook Yoon, President of Los Angeles chapter; Mr. William P. Min, Chairman of Korean American Day Committee; Dr. Sang Won Park, Secretary General; Mr. Ki Shik Ahn, Co-Chairman; Mr. Jung Soo Lee, Director of Centennial Committee of Korean Immigration; Mr. Steven Koh, Convention Chairman; Mr. Chong Tae Moh, Chairman of Planning and Control; and Ms. Seung Hee Lee, Coordinator of Korean America Day Committee.

Assembly Member Liu was then joined by Speaker Wesson and Assembly Members Frommer and Ridley-Thomas in presenting a resolution celebrating the 100th anniversary of Korean immigration to the United States, and commemorating the achievements and contributions made by Korean Americans to California and the United States.

RECONVENED

At 1:31 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 343 (Chan)—An act to amend Sections 12693.32, 12693.325, and 12693.326 of the Insurance Code, relating to health care coverage, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	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—1

Haynes

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1179 (Parra)—An act to amend Section 6107 of, and to add Section 27201.5 to, the Government Code, and to amend Section 103526 of the Health and Safety Code, relating to public records, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	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

The roll was opened, and the Assembly concurred in Senate amendments 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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 685 (Leno)—An act to amend Section 120917 of the Health and Safety Code, relating to health care, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	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
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
Dutton	Leslie	Pacheco	

NOES—None

Above bill ordered enrolled immediately.

ASSEMBLY BILL NO. 1182 (Ridley-Thomas)—An act to amend Section 9109 of the Commercial Code, to amend Section 15147 of the Education Code, to amend Sections 8855, 53692, and 91521.3 of, to amend the heading of Chapter 11.5 (commencing with Section 8855) of Division 1 of Title 2 of, and to repeal Section 8858 of, the Government Code, and to amend Section 44533 of the Health and Safety Code, relating to government financing, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 652 (Leno)—An act to amend Section 4040 of, and to add Section 1315 to, and to repeal Sections 4041 and 4043 of, the Insurance Code, relating to loans, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	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

The roll was opened, and the Assembly concurred in Senate amendments 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

Above bill ordered enrolled immediately.

ASSEMBLY BILL NO. 1736 (Committee on Veterans Affairs)—An act to amend Sections 15819.60 and 15819.65 of the Government Code, to amend Section 1104.1 of, and to repeal and amend Section 1104.2 of, the Military and Veterans Code, relating to veterans, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Parra.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescía
Bermudez	García	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
Díaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Lieber	Pavley
Berg	Frommer	Liu	Plescía
Bermudez	García	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
Díaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1572 (Lieber)—An act to amend Sections 18070, 18070.2, 18070.3, and 18070.5 of, and to add Sections 18070.6 and 18070.7 to, the Health and Safety Code, relating to manufactured housing, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1501 (Levine)—An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—75

Aghazarian	Dymally	Lieber	Parra
Bates	Firebaugh	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	Matthews	Runner
Canciamilla	Haynes	Maze	Salinas
Chan	Horton, Jerome	McCarthy	Samuelian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Houston	Mountjoy	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakanishi	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	La Malfa	Nation	Wolk
Cox	La Suer	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker
Dutton	Levine	Pacheco	

NOES—1

Campbell

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—75

Aghazarian	Dymally	Lieber	Parra
Bates	Firebaugh	Liu	Pavley
Benoit	Frommer	Longville	Plescia
Berg	Garcia	Lowenthal	Reyes
Bermudez	Goldberg	Maddox	Richman
Bogh	Hancock	Maldonado	Ridley-Thomas
Calderon	Harman	Matthews	Runner
Canciamilla	Haynes	Maze	Salinas
Chan	Horton, Jerome	McCarthy	Samuelian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Houston	Mountjoy	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakanishi	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	La Malfa	Nation	Wolk
Cox	La Suer	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker
Dutton	Levine	Pacheco	

NOES—1

Campbell

Above bill ordered enrolled.

ASSEMBLY BILL NO. 1145 (Shirley Horton)—An act to add Chapter 5.4 (commencing with Section 8455) to Division 1 of Title 2 of the Government Code, relating to public safety, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—80

Aghazarian	Dutton	Leslie	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 371 (La Suer)—An act to amend Section 1246 of the Business and Professions Code, and to amend Section 23158 of the Vehicle Code, relating to blood tests, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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

Above bill ordered enrolled immediately.

(NOTE: On January 20, 2004, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 371 and whereby the bill was ordered enrolled. See page 4293.)

ASSEMBLY BILL NO. 900 (Jerome Horton)—An act to add Sections 19605.75, 19605.76, and 19605.77 to the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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

Above bill ordered enrolled.

ASSEMBLY BILL NO. 283 (Campbell)—An act relating to the payment of claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Longville	Ridley-Thomas
Bogh	Goldberg	Lowenthal	Runner
Calderon	Hancock	Maddox	Salinas
Campbell	Harman	Maldonado	Samuelian
Canciamilla	Haynes	Matthews	Simitian
Chan	Horton, Jerome	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Kehoe	Nakano	Wolk
Correa	Koretz	Nation	Wyland
Cox	La Malfa	Negrete McLeod	Yee
Daucher	La Suer	Nunez	
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	

NOES—1

Mountjoy

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Longville	Ridley-Thomas
Bogh	Goldberg	Lowenthal	Runner
Calderon	Hancock	Maddox	Salinas
Campbell	Harman	Maldonado	Samuelian
Canciamilla	Haynes	Matthews	Simitian
Chan	Horton, Jerome	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Kehoe	Nakano	Wolk
Correa	Koretz	Nation	Wyland
Cox	La Malfa	Negrete McLeod	Yee
Daucher	La Suer	Nunez	
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	

NOES—1

Mountjoy

Above bill ordered enrolled.

ASSEMBLY BILL NO. 2 (Bogh)—An act to amend Sections 1191.15, 3041, and 3043.2 of, and to add Section 3043.6 to, the Penal Code, and to add Section 1767.9 to the Welfare and Institutions Code, relating to victims, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

Aghazarian	Dutton	Liu	Plescia
Bates	Firebaugh	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	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	
Dutra	Lieber	Pavley	

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dutton	Liu	Plescia
Bates	Firebaugh	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	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	
Dutra	Lieber	Pavley	

NOES—None

Above bill ordered enrolled immediately.

ASSEMBLY BILL NO. 1209 (Nakano)—An act to amend Section 6254 of the Government Code, relating to public agency security, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	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

Wiggins

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	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	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

Wiggins

Above bill ordered enrolled.

CONFERENCE COMMITTEE REPORTS

ASSEMBLY BILL NO. 968 (As proposed by the Conference Committee)—An act to add Section 3600.7 to the Labor Code, relating to workers' compensation, and declaring the urgency thereof, to take effect immediately.

Conference Committee Report presented by Assembly Member Correa.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—77

Aghazarian	Dymally	Lieber	Plescia
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Calderon	Harman	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—3

Campbell	Haynes	Mountjoy
----------	--------	----------

Report adopted by the following vote:

AYES—77

Aghazarian	Dymally	Lieber	Plescia
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Calderon	Harman	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—3

Campbell	Haynes	Mountjoy
----------	--------	----------

Above bill ordered enrolled.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Kehoe was granted unanimous consent that the Governor's veto of Assembly Bill No. 331 be stricken from file.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 488, on request of Assembly Member Parra.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740 and Senate Bills Nos. 1005, 131, and 407 were continued until Thursday, January 15, 2004.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 139 (Dymally)—Relative to the Charles R. Drew University of Medicine and Science.

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

Resolution ordered transmitted to the Senate immediately.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 604 (Perata)—An act to amend Sections 81008, 84101, 84103, 84108, 84203, 84204, and 84502 of, to repeal Section 84305.6 of, and to repeal and add Section 84305.5 of, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Longville.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	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—1

Haynes

The question being on the passage of the bill:

Bill passed by the following vote:

AYES—79

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	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—1

Haynes

Bill ordered transmitted to the Senate.

(NOTE: On January 29, 2004, the action was rescinded whereby the urgency clause was adopted and Senate Bill No. 604 was passed, and whereby the bill was ordered transmitted to the Senate. See page 4390.)

SENATE BILL NO. 976 (Ducheny)—An act relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Bates.

Urgency Clause

Urgency clause 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

The question being on the passage of the bill.

Bill passed 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

Bill ordered transmitted to the Senate.

SENATE BILL NO. 98 (Alpert)—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, 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, and to be returned to the third reading file.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Liu announced her intention to request that Senate Bill No. 311 be removed from the inactive file.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 44 (Pacheco)—An act to amend Section 2625 of the Penal Code, and Sections 294 and 366.21 of the Welfare and Institutions Code, relating to dependent children, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—78

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	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	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Nation	Wyland
Daucher	La Suer	Negrete McLeod	Yee
Diaz	Laird	Nunez	Mr. Speaker
Dutra	Leno	Oropeza	
Dutton	Leslie	Pacheco	

NOES—None

~~Above bill ordered enrolled.~~

(NOTE: On January 20, 2004, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 44 and whereby the bill was ordered enrolled. See page 4295.)

BILLS STRICKEN FROM FILE

Assembly Member Corbett was granted unanimous consent that Assembly Bill No. 1715 be stricken from file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Reyes announced that the Committee on Utilities and Commerce would meet today, upon adjournment of Floor session, in Room 437.

Assembly Member Dutra announced that the Committee on Transportation would meet today, 10 minutes after adjournment of Floor session, in Room 4202.

Assembly Member Chavez announced that the Committee on Revenue and Taxation would meet today, upon adjournment of Floor session, in Room 126.

Assembly Member Jackson announced that the Committee on Natural Resources would meet today, upon adjournment of Floor session, in Room 447.

ANNOUNCEMENTS

Speaker pro Tempore Kehoe announced the following schedule:

Tuesday, January 13—Check-in Session;

Wednesday, January 14—Check-in Session;

Thursday, January 15—Floor Session, 9:00 a.m.;

Friday, January 16—Check-in Session;

Monday, January 19—Holiday—Martin Luther King Day

Tuesday, January 20—Floor Session, 12 noon.

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 Michelle Berntson, of San Leandro.

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kenneth Earl Doyle, of Deer Lodge Park.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of David Cooper, of Livermore.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alvin Glen Ellis, of Clovis.

Assembly Members Spitzer and Campbell were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Stephen Smith, of Tustin.

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. 1192, Concurrence: Daucher, Houston, Nakanishi, Ridley-Thomas, and Simitian—Aye.

Senate Constitutional Amendment No. 1: Houston and Nakanishi—Aye.

Assembly Bill No. 343, Concurrence: La Malfa, Mountjoy, Plescia, and Simitian—Aye.

Assembly Bill No. 1179, Urgency and Concurrence: Chu and Montanez—Aye.

Assembly Bill No. 685, Concurrence: Maddox and Mountjoy—Aye.

Assembly Bill No. 1182, Concurrence: Nakanishi and Simitian—Aye.

Assembly Bill No. 652, Urgency and Concurrence: Nakanishi and Simitian—Aye.

Assembly Bill No. 1736, Urgency and Concurrence: Nakanishi and Simitian—Aye.

Assembly Bill No. 1572, Concurrence: Simitian—Aye.

Assembly Bill No. 1501, Urgency and Concurrence: Campbell—No.

Assembly Bill No. 1145, Concurrence: Pacheco—Aye.

Assembly Bill No. 371, Urgency and Concurrence: Pacheco and Simitian—Aye.

Assembly Bill No. 900, Urgency and Concurrence: Simitian—Aye.

Assembly Bill No. 283, Urgency and Concurrence: Kehoe—Aye.

Assembly Bill No. 2, Urgency and Concurrence: Leno and Lowenthal—Aye.

Assembly Bill No. 1209, Urgency and Concurrence: Bogh and Hancock—Aye.

Assembly Bill No. 968, Urgency and Conference Report: La Malfa—Aye; Campbell—No.

Assembly Concurrent Resolution No. 139: Calderon and Simitian—Aye.

Senate Bill No. 604 and Urgency: Campbell—Aye.

Assembly Bill No. 44, Concurrence: Simitian—Aye.

MOTION TO ADJOURN

At 2:06 p.m., Assembly Member Nakano moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:06 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Nakano, the Assembly adjourned until 7 a.m., Tuesday, January 13, 2004, out of respect to the memory of Elaine Beers Garrett, on motion of Assembly Member Frommer; out of respect to the memory of Private Jesse Mizener, on motion of Assembly Member Leslie; out of respect to the memory of Steven M. Rodriguez, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Major Julian Palmer (USAF Ret.), on motion of Assembly Member Cox; out of respect to the memory of Eddy Wynschenk, on motion of Assembly Members Mullin and Steinberg; out of respect to the memory of Michelle Berntson, on motion of Assembly Member Corbett; out of respect to the memory of Kenneth Earl Doyle, on motion of Assembly Member Dutton; out of respect to the memory of David Cooper, on motion of Assembly Member Houston; out of respect to the memory of Alvin Glen Ellis, on motion of Assembly Member Reyes; and out of respect to the memory of Officer Stephen Smith, on motion of Assembly Members Spitzer and Campbell.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 12, 2004**

The following measures were amended in the Assembly on this day:

AB	RN
700	0400367
1312	0400032
1714	0400442
1784	0400587
1785	0400562

SB	RN
98	0322022
438	0400461

Daily Total:	7
Cumulative Total:	3070

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 13, 2004

**ONE HUNDRED THIRTY-SIXTH SESSION DAY
FOUR HUNDRED EIGHTH 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
Tuesday, January 13, 2004

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—77:

Aghazarian	Dutton	Leslie	Pavley
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Longville	Ridley-Thomas
Bogh	Goldberg	Lowenthal	Runner
Calderon	Hancock	Maddox	Salinas
Campbell	Harman	Maldonado	Samuelian
Canciamilla	Haynes	Matthews	Spitzer
Chan	Horton, Jerome	McCarthy	Steinberg
Chavez	Horton, Shirley	Montanez	Strickland
Chu	Houston	Mountjoy	Vargas
Cogdill	Jackson	Mullin	Wiggins
Cohn	Keene	Nakanishi	Wolk
Corbett	Kehoe	Nakano	Wyland
Correa	Koretz	Negrete McLeod	Yee
Cox	La Malfa	Nunez	Mr. Speaker
Daucher	La Suer	Oropeza	
Diaz	Laird	Pacheco	
Dutra	Leno	Parra	

Quorum present.

At 12:28 p.m., Hon. Dennis Mountjoy, 59th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Maze and Simitian.

Because of illness in his family: Assembly Member Nation.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 6, 2004

*Speaker Herb Wesson
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson,

I respectfully request your permission to be excused from Session either Check-In or Regular Session during the dates of Tuesday, January 13, 2004 through Friday, January 16, 2004, for legislative business.

Thank you for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

January 5, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Tuesday, January 13, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 12, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember John Benoit to replace Assemblymember Bill Maze on the Assembly Business and Professions Committee for the Tuesday, January 13th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 12, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Tom Harman to replace Assemblymember Bill Maze on the Assembly Health Committee for the Tuesday, January 13th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 12, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Greg Aghazarian to replace Assemblymember Bill Maze on the Assembly Agriculture Committee for the Wednesday, January 14th hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 13, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Sarah Reyes to replace Assemblymember Joe Nation on the Assembly Business and Professions Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 13, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymembers Joe Canciamilla and Patricia Wiggins and to replace Assemblymember Fabian Nunez and fill the vacancy on the Assembly Elections, Redistricting and Constitutional Amendments Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 13, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Mervyn Dymally to replace Assemblymember John Longville on the Assembly Public Safety Committee, effective immediately.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 13, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 700	Assembly Bill No. 1784
Assembly Bill No. 1312	Assembly Bill No. 1785
Assembly Bill No. 1714	

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 13, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 2
~~Assembly Bill No. 371~~
 Assembly Bill No. 685

And reports the same correctly enrolled, and presented to the Governor on the 13th day of January, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

(NOTE: On January 20, 2004, the action was rescinded whereby Assembly Bill No. 371 was reported correctly enrolled and presented to the Governor. See page 4293.)

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Judiciary, on Tuesday, January 20, 2004, off the Floor during Floor Session, or upon adjournment, in the Tom Bane Rules Committee Room;

Insurance, on Wednesday, January 28, 2004, at 9 a.m., in Room 437;

Select Committee on Wetlands, on Wednesday, February 11, 2004, in the State Capitol.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1808—Yee. An act to amend Section 374.4 of the Penal Code, relating to littering.

ASSEMBLY BILL NO. 1809—La Malfa. An act to amend Section 471 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1810—Frommer, Wiggins, and Reyes (Coauthors: Chavez, Hancock, and Koretz). An act to add Division 21 (commencing with Section 51000) to the Financial Code, relating to automated teller machines.

ASSEMBLY BILL NO. 1811—Bogh. An act to amend Section 1798.85 of the Civil Code, relating to privacy.

ASSEMBLY BILL NO. 1812—Bermudez. An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 156—Frommer and Richman. Relative to the Burbank Police Officer Matthew Pavelka Memorial Freeway.

ASSEMBLY CONCURRENT RESOLUTION NO. 157—Yee. Relative to blood donors.

ASSEMBLY JOINT RESOLUTION NO. 57—Jackson and Chan (Principal coauthors: Liu and Yee) (Principal coauthor: Senator Karnette) (Coauthors: Berg, Calderon, Chavez, Chu, Cohn, Corbett, Daucher, Diaz, Dutra, Goldberg, Hancock, Kehoe, Koretz, Laird, Leno, Levine, Lowenthal, Matthews, Montanez, Mullin, Nakano, Nation, Oropeza, Reyes, Ridley-Thomas, Salinas, Steinberg, Vargas, Wesson, Wiggins, and Wolk) (Coauthors: Senators Bowen, Figueroa, Kuehl, Romero, Speier, and Torlakson). Relative to the 31st anniversary of Roe v. Wade.

AUTHOR'S AMENDMENTS

Committee on Local Government

January 13, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 600

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 600—An act to add Section 65008.5 to the Government Code, relating to land use.

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.

REPORTS OF STANDING COMMITTEES

Committee on Banking and Finance

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 1000

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

WIGGINS, Chair

Above bill ordered to second reading.

Committee on Transportation

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1138

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DUTRA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 517

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

DUTRA, Chair

Above bill ordered to second reading.

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 204

Assembly Bill No. 338

Assembly Bill No. 340

Assembly Bill No. 392

Assembly Bill No. 477

Assembly Bill No. 775

Assembly Bill No. 1272

Assembly Bill No. 1511

Assembly Bill No. 1663

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

DUTRA, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1510

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chair

Above bill ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 393

Assembly Bill No. 549

Assembly Bill No. 614

Assembly Bill No. 1356

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

COHN, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 129

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 454
 Assembly Bill No. 1233
 Assembly Bill No. 1466

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JACKSON, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 1260

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CHAVEZ, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 238
 Assembly Bill No. 848
 Assembly Bill No. 1073

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Business and Professions

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 193
 Assembly Bill No. 320
 Assembly Bill No. 932

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CORREA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 664

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

CORREA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports:

Assembly Bill No. 1264

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CORREA, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports:
Assembly Bill No. 69

With the recommendation: Do pass.

CORREA, Chair

Above bill ordered to second reading.

Committee on Utilities and Commerce

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports:
Assembly Bill No. 1684

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

REYES, Chair

Above bill ordered to second reading.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 622—An act to amend Section 12281 of the Elections Code, relating to preelection procedures.

Bill read second time; amendments proposed by the Committee on Elections, Redistricting and Constitutional Amendments read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1564—An act to amend Section 56000 of, to add Section 56000.6 to, and to add Article 7 (commencing with Section 79220) to Chapter 9 of Part 48 of, the Education Code, relating to special education.

Bill read second time; amendments proposed by the Committee on Higher Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1623—An act to repeal and add Section 85300 of the Government Code, relating to the Political Reform Act of 1974.

Bill read second time; amendments proposed by the Committee on Elections, Redistricting and Constitutional Amendments read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 796—An act to add Section 6434.5 to the Labor Code, relating to occupational safety and health.

Bill read second time; amendments proposed by the Committee on Labor and Employment read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 411—An act to add Chapter 12.9 (commencing with Section 7090) to Division 7 of Title 2 of the Government Code, and to amend Sections 17039 and 23036 of, to add Sections 17052.77 and 23677 to, and to add and repeal Sections 17053.93 and 23693 of, the Revenue and Taxation Code, relating to economic development.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1183—An act relating to economic development.

Bill read second time; amendments proposed by the Committee on Jobs, Economic Development and the Economy read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1126—An act to amend Section 17072.10 of the Education Code, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Education read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 311, on request of Assembly Member Liu.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, January 14, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 13, 2004**

The following measures were amended in the Assembly on this day:

AB	RN
411	0400216
600	0400702
622	0400303
796	0400377
1126	0400075
1183	0400217
1564	0400192
1623	0400187

Daily Total:	8
Cumulative Total:	3078

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 14, 2004

**ONE HUNDRED THIRTY-SEVENTH SESSION DAY
FOUR HUNDRED NINTH 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
Wednesday, January 14, 2004

The Assembly met at 7 a.m.

Hon. John Dutra, Assembly Member, 20th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Aghazarian	Dymally	Leslie	Parra
Bates	Firebaugh	Levine	Pavley
Benoit	Frommer	Lieber	Plescia
Berg	Garcia	Liu	Reyes
Bermudez	Goldberg	Longville	Richman
Bogh	Hancock	Lowenthal	Ridley-Thomas
Calderon	Harman	Maddox	Runner
Campbell	Haynes	Maldonado	Salinas
Canciamilla	Horton, Jerome	Matthews	Samuelian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wiggins
Correa	Kehoe	Nakanishi	Wyland
Cox	Koretz	Nakano	Yee
Daucher	La Malfa	Negrete McLeod	Mr. Speaker
Diaz	La Suer	Nunez	
Dutra	Laird	Oropeza	
Dutton	Leno	Pacheco	

Quorum present.

At 11:16 a.m., Hon. Tom Harman, 67th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Chan, Corbett, Maze, and Simitian.

On legislative business, per diem waived for the 2003–2004 Session (See Assembly Journal, page 126): Assembly Member Wolk.

On personal business, and waiving per diem: Assembly Member Strickland.

Because of illness in his family: Assembly Member Nation.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 14, 2004

Speaker Herb Wesson

Dear Speaker Wesson: I am requesting that I be excused from check-in on January 14, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

January 12, 2004

The Honorable Herb Wesson

Speaker of the Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday, January 14, 2004 and Friday, January 16, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

January 8, 2004

The Honorable Herb J. Wesson, Jr.

Speaker of the Assembly

State Capitol, Room 219

Sacramento, California

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Wednesday, January 14, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

January 13, 2004

*The Honorable Herb Wesson, Jr.
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused from check-in session tomorrow, Wednesday, January 14, 2004, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

(NOTE: For letter explaining the absence of Assembly Member Maze on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 13, 2004.)

COMMUNICATIONS

The following communication was presented by the Chief Clerk from:

Richard P. West, Executive Vice Chancellor, Chief Financial Officer, California State University, relative to a delay in submitting a report on Reading, Writing, and Mathematics Proficiency of All First-time Freshmen (required pursuant to the Supplemental Report to the 2001 Budget Act). Referred by the Speaker to the Committee on Budget.

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text along with a subsequent revised copy of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Funding for K–12 Education
and Voluntary Universal Preschool Program.
Commercial Property Taxes.
Initiative Constitutional Amendment and Statute.
SA 2003RF0057, Amdt. #1-NS**

Referred by the Speaker to the Committees on Education and Revenue and Taxation.

REPORTS

The following reports were presented by the Chief Clerk:

**Annual Staff Report on the Management of State School Lands
Fiscal Year 2002–03
(Pursuant to Public Resources Code Section 6477)**

Above transmitted report, together with letter of transmittal from Paul D. Thayer, Executive Officer, California State Lands Commission, dated December 29, 2003, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Internal Control Review Report for
the Biennial Period Ended December 31, 2003
(Pursuant to Government Code Section 13405)**

Above transmitted report, together with letter of transmittal from Catherine Campisi, Ph.D., Director, Department of Rehabilitation, dated December 31, 2003, referred by the Speaker to the Committee on Business and Professions.

**Plan for Ensuring the External and Internal Security of
Patton State Hospital
During Temporary Occupation of Additional Beds
(Pursuant to Welfare and Institutions Code Section 4107 (e))**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated January 5, 2004, referred by the Speaker to the Committee on Health.

**Quarterly Progress Report
October 1, 2003 through December 31, 2003
(Pursuant to 1998-99 Supplemental Budget Language
Item 8100-001-001)**

Above transmitted report, together with letter of transmittal from Shirley Wang, Acting Chief Deputy Director, Office of Criminal Justice Planning, dated December 23, 2003, referred by the Speaker to the Committee on Budget.

**Evaluation of Medi-Cal Long Term Care
Reimbursement Methodology
(Pursuant to Assembly Bill 1075, Chapter 684, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Diana M. Bonta, R.N., Dr. P. H., Director, Department of Health Services, dated December 12, 2003, referred by the Speaker to the Committee on Health.

**Energy Action Plan
(Pursuant to the Supplemental Report of the 2003 Budget Act
Item 3360-001-0465)**

Above transmitted report, together with letter of transmittal from Michael Peevey, President, California Public Utilities Commission, William J. Keese, Chairman, California Energy Commission, and Sunne Wright McPeak, Acting Chair and Vice Chair California Power Authority, dated December 31, 2003, referred by the Speaker to the Committee on Budget.

**2002-2003 DVBE Contracting Activity Report (Annual)
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Donna Fairchild, Contract Officer, Department of Community Services and Development, dated December 11, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Ethnicity/Race/Gender Business Ownership Report
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Timothy W. Boyer, Interim Executive Director, Board of Equalization, dated December 18, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

Ethnicity/Race/Gender Business Ownership Report

Above transmitted report, together with letter of transmittal from Tom DiGrazia, Secretary-Manager, Silver Dollar Fair, Department of Food and Agriculture, dated December 22, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2002–2003 Contracting Report for
Disabled Veteran Business Enterprise Participation
(Pursuant to Military and Veterans Code Section 999.7)**

Above transmitted report, together with letter of transmittal from Claire Lillie, Associate Governmental Program Analyst, California Student Aid Commission, dated December 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Race, Ethnicity and Gender Report
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Frederick Topete, Chief, Business Operations and Program Support, Business, Transportation and Housing Agency, dated December 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Ethnicity/Race/Gender Business Ownership Report and
Minority/Women/DVBE Ownership Report**

Above transmitted report, together with letter of transmittal from Andrea Corona, Small Business/DVBE Advocate, Business Services Office, Department of Finance, dated January 7, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**House Car Collisions
(Pursuant to Assembly Bill 67, Chapter 658, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated January 7, 2004, referred by the Speaker to the Committee on Transportation.

**Small Business and Disabled Veterans Business Enterprise (DVBE)
Annual Report 2002–03**

Above transmitted report, together with letter of transmittal from Denise Choye, Administrative Services Manager, Fair Employment and Housing Commission, dated January 5, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**California Public Utilities 2004 Workplan
(Pursuant to Public Utilities Code Section 321.6 and 321.7(a))**

Above transmitted report, together with letter of transmittal from William R. Ahern, Executive Director, Public Utilities Commission, dated January 8, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Report on the Use of Federal Funds
Under the School Renovation Program
(Pursuant to Budget Act 2002–03, Item 6110-202-0890 (4))**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated January 6, 2004, referred by the Speaker to the Committee on Budget.

Disabled Veterans Business Enterprise Report 2002–2003

Above transmitted report, together with letter of transmittal from Val F. Siebal, Chief Deputy Director, Office of Environmental Health Hazard Assessment, dated January 8, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

Congestion Relief Program 2002

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated January 9, 2004, referred by the Speaker to the Committee on Transportation.

**Senate Bill 960 Section 13 Report on
Timely Resolution of Proceedings and Commissioner Presence at Hearings
(Pursuant to Senate Bill 960, Chapter 856, Statutes of 1996)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated January 12, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Report to the Legislature on
the Status of Board Licensing—Exam Validation and Occupational Analysis
(Pursuant to Business and Professions Code Section 139 (c) and (d))**

Above transmitted report, together with letter of transmittal from Denise Brown, Chief Deputy Director, Department of Consumer Affairs, dated January 8, 2004, referred by the Speaker to the Committee on Business and Professions.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 14, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 411
Assembly Bill No. 600
Assembly Bill No. 622
Assembly Bill No. 796

Assembly Bill No. 1126
Assembly Bill No. 1183
Assembly Bill No. 1564

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 14, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1623

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, January 14, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

~~Assembly Bill No. 44~~
Assembly Bill No. 283
Assembly Bill No. 652
Assembly Bill No. 900
Assembly Bill No. 968
Assembly Bill No. 1145

Assembly Bill No. 1179
Assembly Bill No. 1182
Assembly Bill No. 1192
Assembly Bill No. 1209
Assembly Bill No. 1501

And reports the same correctly enrolled, and presented to the Governor on the 14th day of January, 2004, at 1:30 p.m.

E. DOTSON WILSON, Chief Clerk

(NOTE: On January 20, 2004, the action was rescinded whereby Assembly Bill No. 44 was reported correctly enrolled and presented to the Governor. See page 4295.)

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Transportation, on Thursday, January 15, 2004, upon adjournment of Floor Session in the Tom Bane Rules Committee Room;

Housing and Community Development to convene jointly with the Senate Committee on Housing and Community Development, on Monday, January 26, 2004, upon adjournment of Floor Session.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1813—Cohn. An act to add Section 273.55 to the Penal Code, relating to domestic violence.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 158—Yee (Coauthor: Steinberg). Relative to Mental Wellness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 159—Lieber. Relative to Myositis Awareness Day.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

January 14, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 338

Assembly Bill No. 1233

Assembly Bill No. 392

Assembly Bill No. 1663

Assembly Bill No. 1138

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

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.

ASSEMBLY BILL NO. 392—An act to add Section 164.60 to the Streets and Highways Code, relating to transportation.

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.

ASSEMBLY BILL NO. 1138—An act to amend amend Sections 22511.56 and 22511.57 of the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1233—An act to add and repeal Section 14054 of the Government Code, relating to transportation.

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.

ASSEMBLY BILL NO. 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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 Public Employees, Retirement and Social Security

January 14, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 476

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 476—An act to amend Section 22825 of the Government Code, relating to the Public Employees' Medical and Hospital Care Act.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Appropriations

January 14, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 193

Assembly Bill No. 340

Assembly Bill No. 454

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 193—An act to add and repeal Section 8546.2 of the Government Code, relating to the State Auditor.

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.

ASSEMBLY BILL NO. 340—An act to amend Sections 21464, 40000.13, and 42001 of the Vehicle Code, relating to traffic control devices.

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.

ASSEMBLY BILL NO. 454—An act to add and repeal Division 9 (commencing with Section 8000) to the Harbors and Navigation Code, relating to San Francisco port security.

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.

REPORTS OF STANDING COMMITTEES**Committee on Veterans Affairs**

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 323

With the recommendation: That the Senate amendments be concurred in.

PARRA, Chair

Above bill ordered to unfinished business.

Committee on Elections, Redistricting and Constitutional Amendments

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 1784

Assembly Bill No. 1785

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LONGVILLE, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Environmental Safety and Toxic Materials

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 389

Assembly Bill No. 1699

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LAIRD, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Veterans Affairs

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Bill No. 279

Assembly Bill No. 1520

Assembly Bill No. 1592

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

PARRA, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 891

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 230
- Assembly Bill No. 384
- Assembly Bill No. 1224

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 1667

With amendments with the recommendation: Amend, and do pass, as amended.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:

- Assembly Bill No. 854

With the recommendation: Do pass.

LENO, Chair

Above bill ordered to second reading.

Committee on Housing and Community Development

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports:

- Assembly Bill No. 269
- Assembly Bill No. 672
- Assembly Bill No. 868

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LOWENTHAL, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports:

- Assembly Bill No. 162

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LOWENTHAL, Chair

Above bill ordered to second reading.

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports:

- Assembly Bill No. 224

With the recommendation: Do pass.

LOWENTHAL, Chair

Above bill ordered to second reading.

Committee on Human Services

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Human Services reports:

- Assembly Bill No. 649

With the recommendation: Do pass.

WOLK, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 1319

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Joint Resolution No. 41

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.

FROMMER, Chair

Above resolution ordered to the Consent Calendar.

Committee on Human Services

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Human Services reports:

Assembly Bill No. 379

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

WOLK, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 254

With the recommendation: Do pass.

FROMMER, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 321

Assembly Bill No. 750

Assembly Bill No. 1655

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

FROMMER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 749

Assembly Bill No. 1091

Assembly Bill No. 1596

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

FROMMER, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1454

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials.

MATTHEWS, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 1623, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1000—An act to amend Sections 1502 , 2117, 6210, and 8210 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations.

Bill read second time; amendments proposed by the Committee on Banking and Finance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 517—An act to amend Section 21455.5 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1510—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Revenue and Taxation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1264—An act to amend Section 4216.8 of the Government Code, relating to excavation equipment.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 69—An act to amend Section 14672.100 of the Government Code, relating to public works.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1684—An act to add Section 379.6 to the Public Utilities Code, relating to energy resources.

Bill read second time; amendments proposed by the Committee on Utilities and Commerce read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

January 14, 2004

*Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 976 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, January 15, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 15, 2004

**ONE HUNDRED THIRTY-EIGHTH SESSION DAY
FOUR HUNDRED TENTH 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, January 15, 2004

The Assembly met at 9 a.m.
Hon. Leland Y. Yee, Assistant 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 Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:14 a.m., Assistant Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—70:

Aghazarian	Dutra	Leno	Parra
Bates	Dutton	Leslie	Pavley
Benoit	Dymally	Levine	Plescia
Berg	Firebaugh	Lieber	Reyes
Bermudez	Frommer	Liu	Runner
Bogh	Garcia	Longville	Salinas
Calderon	Goldberg	Lowenthal	Samuelian
Campbell	Hancock	Maldonado	Spitzer
Canciamilla	Harman	Matthews	Steinberg
Chan	Haynes	McCarthy	Strickland
Chu	Horton, Jerome	Mountjoy	Vargas
Cogdill	Horton, Shirley	Mullin	Wiggins
Cohn	Houston	Nakanishi	Wolk
Corbett	Jackson	Nakano	Wyland
Correa	Keene	Negrete McLeod	Yee
Cox	La Malfa	Nunez	Mr. Speaker
Daucher	La Suer	Oropeza	
Diaz	Laird	Pacheco	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Everything starts from prayer. Without asking You for love, we cannot possess love, and still less are we able to give it to others. We may be exhausted with work, but unless our work is interwoven with love, it is useless. Help us to love more completely, Lord, this day and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, Assembly Member Laird 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 legislative business: Assembly Members Chavez, Kehoe, Koretz, Maddox, Maze, and Ridley-Thomas.

On personal business, and waiving per diem: Assembly Member Simitian.

Because of illness: Assembly Member Montanez.

Because of illness in their families: Assembly Members Nation and Richman.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 14, 2004

The Honorable Herb J. Wesson, Jr.

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker Wesson: I respectfully request that I be excused from session on Thursday, January 15, 2004 and check-in session on Friday, January 16, 2004. The purpose is to attend the Latino Legislative Caucus Retreat.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

January 5, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, January 15 and Friday, January 16, 2004 due to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CHRISTINE KEHOE
Speaker pro Tempore

January 12, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused from floor session or check in session on Thursday, January 15, 2004. I would return for session on Friday, January 16, 2004. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

January 12, 2004

*The Honorable Herb Wesson
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, January 15th and check-in session on Friday, January 16th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

January 14, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I write to request permission to be excused from session on Thursday, January 15th and check-in Session on Friday, January 16, 2004 for the purpose of conducting legislative business in my district.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado, at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

(NOTE: For letter explaining the absence of Assembly Member Maze on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 13, 2004.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 15, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have removed Assemblymember Kevin McCarthy from the Joint Legislative Budget Committee, creating an Assembly Republican vacancy on the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 15, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have removed Assemblymember Kevin McCarthy from the Assembly Water, Parks and Wildlife Committee, creating a Republican vacancy on the committee.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk:

From Tricia Knight, Initiative Coordinator, Department of Justice, dated January 12, 2004, transmitting copies of the revised ballot title and summary and ballot label, March 2, 2004 Primary Election Ballot, in accordance with the provisions of Elections Code sections 9050–9051, 13247, and 13281–13282, and Government Code sections 88002–88003.

**Proposition (Number to be provided by Secretary of State's Office)
Health Care Coverage Requirements. Referendum.**

Referred by the Speaker to the Committees on Health and Elections, Redistricting and Constitutional Amendments.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 193	Assembly Bill No. 1000
Assembly Bill No. 338	Assembly Bill No. 1138
Assembly Bill No. 340	Assembly Bill No. 1233
Assembly Bill No. 392	Assembly Bill No. 1510
Assembly Bill No. 454	Assembly Bill No. 1663
Assembly Bill No. 476	Assembly Bill No. 1684

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1814—Oropeza. An act to amend Section 487 of the Penal Code, relating to theft.

ASSEMBLY BILL NO. 1815—Chan and Dutra (Coauthors: Berg, Calderon, Chu, Dymally, Firebaugh, Goldberg, Hancock, Jerome Horton, Koretz, Laird, Leno, Levine, Lieber, Longville, Montanez, Mullin, Nation, Oropeza, Reyes, Ridley-Thomas, Steinberg, Vargas, and Yee). An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1816—Bermudez. An act to amend Section 2220.05 of the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 1817—Maze. An act to amend Section 827 of the Welfare and Institutions Code, relating to juvenile law.

ASSEMBLY BILL NO. 1818—Yee. An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

ASSEMBLY BILL NO. 1819—La Malfa. An act to amend Sections 48800 and 76002 of the Education Code, relating to public schools.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 160—Mountjoy. Relative to Abraham Lincoln.

ASSEMBLY CONCURRENT RESOLUTION NO. 161—Oropeza (Coauthors: Berg, Calderon, Chan, Chavez, Chu, Cohn, Corbett, Dutra, Firebaugh, Garcia, Goldberg, Hancock, Jackson, Kehoe, Koretz, Laird, Lieber, Longville, Lowenthal, Matthews, Montanez, Mullin, Negrete McLeod, Parra, Pavley, Reyes, Ridley-Thomas, Steinberg, Wiggins, and Wolk) (Coauthors: Senators Alpert, Ducheny, Karnette, and Romero). Relative to California Girls and Women in Sports Week.

ASSEMBLY JOINT RESOLUTION NO. 58—Correa (Coauthors: Benoit, Berg, Bermudez, Calderon, Canciamilla, Chavez, Cohn, Corbett, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Hancock, Jerome Horton, Shirley Horton, Keene, Kehoe, Koretz, Laird, Leno, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Montanez, Mountjoy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Reyes, Ridley-Thomas, Salinas, Vargas, Wolk, and Wyland). Relative to religious freedom in Vietnam.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1704 -----	Jud.
1706 -----	Jud.
1707 -----	Jud.
1709 -----	Jud.
1711 -----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
152 -----	Trans.
153 -----	Rls.
154 -----	Rls.
155 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
56 -----	Pub. S.
57 -----	Jud.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
23 -----	L. Gov.

AUTHOR'S AMENDMENTS

Committee on Judiciary

January 15, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1704 | Assembly Bill No. 1709 |
| Assembly Bill No. 1706 | Assembly Bill No. 1711 |
| Assembly Bill No. 1707 | |

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1704—An act to amend Section 2553 of the Family Code, relating to family law.

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.

ASSEMBLY BILL NO. 1706—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

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.

ASSEMBLY BILL NO. 1707—An act to amend Section 51 of the Civil Code, relating to civil rights.

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.

ASSEMBLY BILL NO. 1709—An act to amend Section 11135 of the Government Code, relating to discrimination.

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.

ASSEMBLY BILL NO. 1711—An act to amend Section 6000 of the Business and Professions Code, relating to attorneys.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 750

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 61

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 61—Relative to Financial Literacy for Youth Month.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 204

Assembly Bill No. 1520

Assembly Bill No. 389

Assembly Bill No. 1699

Assembly Bill No. 932

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 204—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 389—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of the Health and Safety Code, relating to hazardous substances.

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.

ASSEMBLY BILL NO. 932—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

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.

ASSEMBLY BILL NO. 1520—An act to add and repeal Chapter 8.7 (commencing with Section 13370) of Division 6 of the Military and Veterans Code, relating to veterans memorials.

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.

ASSEMBLY BILL NO. 1699—An act to add Article 10.4 (commencing with Section 25214.30) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste, and making an appropriation therefor.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

January 15, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1200

With author's amendments with the recommendation: Amend, and re-refer to the committee.

DUTRA, Chair

ASSEMBLY BILL NO. 1200—An act to amend Section 7150.2 of the Health and Safety Code, to amend Sections 1672 and 27803 of, and to add Section 1672.1 to, the Vehicle Code, relating to vehicles.

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.

REPORTS OF STANDING COMMITTEES

Committee on Environmental Safety and Toxic Materials

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports: Assembly Bill No. 1454

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

LAIRD, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Agriculture

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Agriculture reports:

Assembly Bill No. 1071

Assembly Bill No. 1726

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

MATTHEWS, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Insurance

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Insurance reports:

Assembly Bill No. 700

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

VARGAS, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: January 15, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 143

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to third reading.

REQUEST FOR PHOTOGRAPHER

Assembly Members Longville and Jerome Horton were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILL RETURNED TO SENATE

The following bills were returned to the Senate for further action, by unanimous consent:

Assembly Bill No. 97, upon request of Assembly Member Chan;
Assembly Bills Nos. 118 and 1154, upon request of Assembly Member Frommer;

Assembly Bill No. 366, upon request of Assembly Member Mullin;
Assembly Bill No. 806, upon request of Assembly Member Wiggins.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 1651, on request of Assembly Member Firebaugh.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Chan announced her intention to request that Senate Bill No. 31 be removed from the inactive file.

BILL REMOVED FROM INACTIVE FILE AND RETURNED TO THE SENATE

Assembly Member Daucher was granted unanimous consent that Assembly Bill No. 691 be withdrawn from the inactive file and returned to the Senate for further action.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Committee on Transportation be permitted to hold a special meeting today, upon adjournment of Floor session, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 1200 for hearing.

RE-REFERENCE OF BILLS

Assembly Member Chan was granted unanimous consent that Senate Bill No. 438 be re-referred from the Committee on Public Employees, Retirement and Social Security to the Committee on Revenue and Taxation.

RECESS

By unanimous consent, at 9:18 a.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:19 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1667—An act to amend Section 803 of, to add Sections 801.1, 801.2, and 803.5 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 854—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 162—An act to repeal Section 18502.5 of the Health and Safety Code, relating to mobilehome parks.

Bill read second time; amendments proposed by the Committee on Housing and Community Development read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 224—An act to amend Section 13132.7 of, and to add Section 13132.8 to, the Health and Safety Code, relating to roof covering materials.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 649—An act relating to developmental disabilities.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

Bill read second time; amendments proposed by the Committee on Human Services read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 254—An act to amend Section 1373.621 of the Health and Safety Code, and to amend Section 10116.5 of the Insurance Code, relating to health.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100, 419, and 1740, and Senate Bills Nos. 1005, 131, and 407 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 69 (Correa)—An act to amend Section 14672.100 of the Government Code, relating to public works.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Correa moved a call of the Assembly.

Motion carried. Time, 9:25 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

CONSIDERATION OF CONSENT CALENDAR

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 42 (Daucher)—An act to amend Section 56505.2 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.)*

ASSEMBLY BILL NO. 1636 (Kehoe)—An act to amend Section 49558 of the Education Code, relating to pupil records.

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.)*

ASSEMBLY BILL NO. 1696 (Pavley)—An act to amend Section 60041 of the Education Code, and to amend Section 71304 of the Public Resources Code, relating to instructional materials.

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—66

Aghazarian	Dutra	Leno	Parra
Bates	Dutton	Leslie	Pavley
Benoit	Dymally	Levine	Plescia
Bermudez	Firebaugh	Lieber	Reyes
Bogh	Frommer	Liu	Runner
Calderon	Garcia	Longville	Salinas
Campbell	Goldberg	Lowenthal	Samuelian
Canciamilla	Hancock	Maldonado	Spitzer
Chan	Harman	Matthews	Steinberg
Chu	Haynes	McCarthy	Strickland
Cogdill	Horton, Jerome	Mountjoy	Vargas
Cohn	Horton, Shirley	Mullin	Wolk
Corbett	Jackson	Nakanishi	Wyland
Correa	Keene	Nakano	Yee
Cox	La Malfa	Negrete McLeod	Mr. Speaker
Daucher	La Suer	Nunez	
Diaz	Laird	Pacheco	

NOES—None**GOVERNOR'S VETO STRICKEN FROM FILE**

Assembly Member Matthews was granted unanimous consent that the Governor's veto of Assembly Bill No. 446 be stricken from file.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: January 15, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 155

With the recommendation: Be adopted.

COGDILL, Vice Chair

Above resolution ordered to third reading.

At 9:29 a.m., Hon. Jerome Horton, 51st District, presiding

**ASSEMBLY CONCURRENT RESOLUTION NO. 155 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 155, without reference to file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 155—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 155**

Assembly Member Dymally was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 155.

Roll Call

The following Assembly Members indicated a desire to become authors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Dutra, Dutton, Firebaugh, Garcia, Goldberg, Hancock, Harman, Shirley Horton, Houston, Jackson, Keene, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Lowenthal, Maldonado, Matthews, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Vargas, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Dymally was granted unanimous consent to take up Assembly Concurrent Resolution No. 155, as amended, without reference to file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 155, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 155—Relative to Dr. Martin Luther King, Jr. Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**RECESS FOR CEREMONY IN OBSERVATION OF
DR. MARTIN LUTHER KING, JR. DAY**

By unanimous consent, at 9:43 a.m., Acting Speaker Jerome E. Horton declared the Assembly recessed to permit the introduction of a special guest. Speaker Wesson and Assembly Member Dymally escorted 9-year-old minister Princeton Irvin Parker to the front of the Assembly Chamber whereupon he addressed the assemblage in honor and celebration of Dr. Martin Luther King's birthday.

Assembly Member Longville then introduced the San Bernardino group "FAME" (Families of African American Ancestry Manifesting Our Excellence), whereupon they gave a musical performance for the Members of the Assembly.

RECONVENED

At 10:02 a.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding.

COMMITTEE MEETING CANCELED

Assembly Member Bermudez announced that the meeting of the Select Committee on Prison Construction and Operations scheduled for today has been canceled.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Dutra announced that the Committee on Transportation would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

NOTICE OF INTENTION TO REMOVE BILL FROM INACTIVE FILE

Pursuant to Assembly Rule 78, Assembly Member Leno announced his intention to request that Assembly Bill No. 1187 be removed from the inactive file.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Diaz was granted unanimous consent that the Governor's veto of Assembly Bill No. 522 be stricken from file.

ADJOURN IN MEMORY

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William James Lyons, Sr., of Modesto.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel J. Rabin, of Davis.

(Assembly Rule 45.5 suspended.)

CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 69

At 10:04 a.m., on motion of Assembly Member Correa, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 69 passed by the following vote:

AYES—43

Berg	Dymally	Liu	Reyes
Bermudez	Firebaugh	Longville	Salinas
Calderon	Frommer	Lowenthal	Spitzer
Canciamilla	Goldberg	Matthews	Steinberg
Chan	Hancock	Mullin	Vargas
Chu	Horton, Jerome	Nakano	Wiggins
Cohn	Jackson	Negrete McLeod	Wolk
Corbett	Laird	Nunez	Wyland
Correa	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	

NOES—13

Bogh	Haynes	Nakanishi	Strickland
Campbell	Horton, Shirley	Pacheco	
Cox	La Malfa	Plescia	
Garcia	Mountjoy	Samuelian	

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Brian Wahle, of Sacramento.

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Louie R. Arata, of Pittsburg, and Katherine M. "Guiliano" Fantacone, of Pittsburg.

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 Joe Claas, of San Leandro.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maria Antonia Prieto, of Glendale.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ron Limeberger, of Sacramento.

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. 42, Consent Calendar: Aghazarian, Bogh, Canciamilla, Cohn, Corbett, Correa, Diaz, Dutra, Garcia, Jackson, Leslie, Mountjoy, Nunez, and Vargas—Aye.

Assembly Bill No. 69: Spitzer—Aye; La Malfa, Mountjoy, Plescia, and Samuelian—No.

MOTION TO ADJOURN

At 10:08 a.m., Assembly Member Nakano moved that the Assembly do now adjourn.

Assembly Member Mountjoy seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Benoit, Vargas, and Mountjoy arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Nakano that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:10 a.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 393

Assembly Bill No. 614

Assembly Bill No. 1550

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 393—An act to add Section 20070.5 to the Education Code, relating to historical preservation.

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.

ASSEMBLY BILL NO. 614—An act relating to athletic trainers.

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.

ASSEMBLY BILL NO. 1550—An act to amend Section 37670 of, to add Section 66104 to, and to add Chapter 8 (commencing with Section 10700) to Part 7 of, the Education Code, relating to public education.

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 Local Government

January 15, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:

Senate Joint Resolution No. 23

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

SENATE JOINT RESOLUTION NO. 23—Relative to Military base closures.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 15, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 1655

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 1655—An act to add Sections 1798.210 and 1799.112 to the Health and Safety Code, relating to emergency medical services.

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.

REPORTS OF STANDING COMMITTEES
Committee on Local Government

Date of Hearing; January 14, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 955

With the recommendation: Do pass.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: January 14, 2004

Mr. Speaker: Your Committee on Local Government reports:
Assembly Bill No. 1320

With amendments with the recommendation: Amend, and do pass, as amended.
SALINAS, Chair

Above bill ordered to second reading.

Committee on Public Safety

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 911

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

LENO, Chair

Above bill ordered to second reading.

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 1694

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

LENO, Chair

Above bill ordered to second reading.

LAST DAY TO CONSIDER GOVERNOR'S VETOES

Pursuant to Joint Rule 58.5, today was the last day to consider the Governor's veto of Assembly Bill No. 799.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Nakano, the Assembly adjourned until 5 a.m., Friday, January 16, 2004, out of respect to the memory of William James Lyons, Sr., on motion of Assembly Member Matthews; out of respect to the memory of Daniel J. Rabin, on motion of Assembly Member Wolk; out of respect to the memory of Brian Wahle, on motion of Speaker Wesson; out of respect to the memory of Louie R. Arata and Katherine M. "Guiliano" Fantacone, on motion of Assembly Member Canciamilla; out of respect to the memory of Joe Claas, on motion of Assembly Member Corbett; out of respect to the memory of Maria Antonia Prieto, on motion of Assembly Member Frommer; and out of respect to the memory of Ron Limeberger, on motion of Assembly Member Steinberg.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 15, 2004**

The following measures were amended in the Assembly on this day:

AB RN

162 0400122
204 0400692
379 0400528
389 0400794
393 0400706
614 0400759
750 0400454
932 0400864
1200 0400312
1520 0400831
1550 0400882
1655 0400855
1667 0400656
1699 0400852
1704 0400168
1706 0400286
1707 0400379
1709 0400385
1711 0400449

ACR RN

61 0400435

SJR RN

23 0322395

Daily Total: 21

Cumulative Total: 3111

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, January 16, 2004

**ONE HUNDRED THIRTY-NINTH SESSION DAY
FOUR HUNDRED ELEVENTH 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
Friday, January 16, 2004

The Assembly met at 5 a.m.

Hon. John J. Benoit, Assembly Member, 64th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—48:

Aghazarian	Garcia	Levine	Pavley
Benoit	Hancock	Lieber	Plescia
Berg	Harman	Liu	Reyes
Canciamilla	Houston	Lowenthal	Ridley-Thomas
Chu	Jackson	Matthews	Runner
Cogdill	Keene	Montanez	Salinas
Cohn	Koretz	Mountjoy	Samuelian
Cox	La Malfa	Mullin	Steinberg
Daucher	La Suer	Nakanishi	Strickland
Dutra	Laird	Nakano	Vargas
Dutton	Leno	Nation	Wiggins
Frommer	Leslie	Parra *	Wyland

(* Note: See Journal later this day for further communication relative to per diem.)

Quorum present.

At 11:53 a.m., Hon. Paul Koretz, 42nd District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bates, Bermudez, Bogh, Calderon, Campbell, Chan, Chavez, Corbett, Correa, Diaz, Dymally, Firebaugh, Goldberg, Haynes, Jerome E. Horton, Kehoe, Longville, Maddox, Maldonado, Maze, Negrete McLeod, Nunez, Oropeza, Pacheco, Simitian, Spitzer, Wesson, and Yee.

On legislative business and waiving per diem: Assembly Member McCarthy.

On legislative business, per diem waived for the 2003–2004 Session (See Assembly Journal, page 126): Assembly Member Wolk.

Because of illness: Assembly Member Shirley Horton.

Because of illness in his family: Assembly Member Richman.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 14, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from check-in session on Friday, January 16, 2004 to attend to district business. If you have any questions, please contact Jennie Teel in my office at (916) 319-2073.

Sincerely,

PATRICIA BATES, Assembly Member
Seventy-third District

January 12, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Check-In Session on Friday, January 16, 2004, for legislative business.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

RUDY BERMUDEZ, Assembly Member
Fifty-sixth District

January 12, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Assembly Speaker Wesson: This letter is a request to be excused from Session on Friday, January 16th 2004 for legislative business in my District.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

January 12, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I am writing today to request to be excused from Session to attend the Latino Caucus trip in Palm Springs on Friday, January 16, 2004. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

January 12, 2004

The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: I respectfully request to be excused from Check-in-Session, Friday, January 16th, 2004 due to legislative business.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 319-2070.

Sincerely,

JOHN CAMPBELL, Assembly Member
Seventieth District

January 12, 2004

The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson: I am requesting to be excused from Check-in Session on Friday, January 16, 2004, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

January 9, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from Check-in Session on Friday, January 16, 2004 due to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

January 8, 2004

*The Honorable Herb J. Wesson, Jr.
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: Please excuse me from floor session and/or check in session on Friday, January 16, 2004. I will be attending to legislative business. Thank you.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

January 13, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: The purpose of this letter is to respectfully request permission to be excused from check-in session on Friday, January 16, 2004. I have legislative business in attend to in my district.

Your consideration of this matter is greatly appreciated. If you have any questions please do not hesitate to contact my chief of staff, Saeed Ali at 916.319.2023.

Sincerely,

MANNY DIAZ, Assembly Member
Twenty-third District

January 14, 2004

*The Honorable Herb Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I respectfully request authorization to be excused for check in on Friday, January 16, 2004 for legislative business.

Thank you for your consideration of this request.

Sincerely,

MERVYN M. DYMALLY, Assembly Member
Fifty-second District

January 12, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from session on Friday, January 16, 2004. I will be attending the annual Latino Legislative Caucus Policy Retreat in Palm Springs.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2050.

Sincerely,

MARCO ANTONIO FIREBAUGH, Assembly Member
Fiftieth District

January 13, 2004

The Honorable Herb Wesson
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: This letter is to request permission to be excused from check in session on Friday, January 16, 2004 due to legislative business in the district.

Should you have any questions, please do not hesitate to contact my Executive Assistant Bertha Mardueño at ext. 2-45.

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

January 13, 2004

The Honorable Herb Wesson
Speaker of the House
California State Assembly
Room 219, State Capitol
Sacramento, California

Dear Mr. Speaker: Please excuse me, Assembly Member Ray Haynes, District #66, from Assembly Check-in Session on Friday, January 16, 2004, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

January 13, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Friday, January 16, 2004, due to legislative business in my district. I will be returning to Sacramento on Tuesday, January 20, 2004, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

January 16, 2004

*The Honorable Herb Wesson Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused for check-in session on Friday, January 16, 2004 due to legislative business in my district.

Thank you for your consideration of this request. If your staff should have any further questions or require additional information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

January 13, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request that I be excused from Check-in Session on Friday, January 16, 2004, due to legislative business in my district.

Thanking you in advance for you consideration of my request.

Sincerely,

ABEL MALDONADO, Assembly Member
Thirty-third District

January 12, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused from Check-in Session on Friday, January 16th, due to legislative business. If you have any questions, please contact Julie Sauls at 319-2032.

Sincerely,

KEVIN MCCARTHY, Assembly Member
Thirty-second District

Further Communication Relative to Per Diem

January 16, 2004

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

RE: Per Diem

Dear Mr. Speaker,

I write to you today to respectfully decline per diem for Friday, January 16th through Monday, January 19th. If you have any questions regarding this request, please contact Julie Sauls at 319-2032.

Thank you for your prompt attention.

Sincerely,

KEVIN MCCARTHY
Assembly Republican Leader

January 6, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to participate in the Latino Legislative Caucus retreat taking place in Palm Springs on January 15–16, 2004.

Thank you for your consideration of this request.

Respectfully,

GLORIA NEGRETE MCLEOD, Assembly Member
Sixty-first District

January 16, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request permission to miss Check-In Session on Friday, January 16, 2004. I will be attending to legislative business in my District.

Thank you for your consideration of this request.

Sincerely,

FABIAN NUÑEZ, Assembly Member
Forty-sixth District

January 12, 2004

The Honorable Herb J. Wesson
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am writing to request permission to be excused from Session January 16, 2004. As Vice-Chair of the Latino Caucus, it is important that I attend the Latino Caucus Retreat to be held in Palm Springs.

Thank you for consideration of this request. Please contact Tony Symonds, my Chief of Staff, if you have any further questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

January 9, 2004

The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room #219
Sacramento, California

Dear Speaker Wesson: I respectfully request that I be excused from Assembly Floor Session for Friday, January 16, 2004. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending floor session. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

January 8, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker,

This is a request to be excused from Check-In Session on Friday, January 16, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

January 8, 2004

The Honorable Herb Wesson
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California

Dear Mr. Speaker: I would like to be excused from check-in session on Friday, January 16, 2004, as I have legislative business in my district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

January 15, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I will be absent from check in Session on Friday, January 16 on legislative business.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 15, 2004

The Honorable Herb Wesson, Jr.
Speaker, California State Assembly
State Capitol
Sacramento, California

Dear Speaker Wesson: I respectfully request to be excused from check-in session tomorrow, Friday, January 16, 2004, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

January 12, 2004

*The Honorable Herb Wesson
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Wesson: I respectfully request that I be excused from the Assembly Check-In Session on Friday, January 16th. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D, Assembly Member
Twelfth District

(NOTE: For letter explaining the absence of Assembly Member Maze on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 13, 2004; for letters explaining the absences of Assembly Members Chavez, Kehoe, and Maddox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 15, 2004.)

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

Communication Relative to Per Diem

January 15, 2004

*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 Check-In session on Friday, January 16th.

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

January 13, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Reappointment of Judith A. Anderson
to Off-Highway Motor Vehicle Recreation Commission

Dear Mr. Wilson: Please be advised I have reappointed Ms. Judith A. Anderson to the Off-Highway Motor Vehicle Recreation Commission. This is a term appointment starting January 15, 2004 and the expiration date is January 15, 2008.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 16, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Conchita Battle
to Library of California Board

Dear Mr. Wilson: Please be advised I have appointed Dr. Conchita Battle to the Library of California Board. This is a term appointment starting January 16, 2004 and the expiration date is January 1, 2008. Dr. Battle will be replacing Mr. Fred Gaines.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Aging and Long-Term Care to convene jointly with the Senate Subcommittee on Aging and Long-Term Care, on Tuesday, February 3, 2004, at 1:30 p.m.;

Joint Committee to Develop a Master Plan for Education to convene jointly with the Assembly Committee on Higher Education and the Senate Subcommittee on Higher Education, on Wednesday, February 4, 2004;

Select Committee on National Defense, Technology and Jobs, on Wednesday, February 4, 2004, at 1 p.m.;

Joint Legislative Audit Committee, on Wednesday, February 25, 2004, at 9 a.m., in Room 444.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 16, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 162
Assembly Bill No. 1667

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 16, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 143

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 16, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 204 | Assembly Bill No. 1550 |
| Assembly Bill No. 379 | Assembly Bill No. 1655 |
| Assembly Bill No. 389 | Assembly Bill No. 1699 |
| Assembly Bill No. 393 | Assembly Bill No. 1704 |
| Assembly Bill No. 614 | Assembly Bill No. 1706 |
| Assembly Bill No. 750 | Assembly Bill No. 1707 |
| Assembly Bill No. 932 | Assembly Bill No. 1709 |
| Assembly Bill No. 1200 | Assembly Bill No. 1711 |
| Assembly Bill No. 1520 | |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 16, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 61

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 1820—Maze. An act to amend Section 37700 of the Education Code, relating to schooldays.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 162—Kehoe (Coauthors: Bates, Shirley Horton, La Suer, Plescia, Vargas, and Wyland) (Coauthors: Senators Alpert, Ducheny, Hollingsworth, and Morrow). Relative to Dean E. Beattie Memorial Highway.

AUTHOR'S AMENDMENTS

Committee on Public Employees, Retirement and Social Security

January 16, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

- Assembly Bill No. 979

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 979—An act to amend Sections 31520.3, 31520.5, 31681.8, 31683, 31704, and 31789.5 of, and to add Sections 31762.5, 31763.5, 31764.5, 31767, and 31767.5 to, the Government Code, relating to county employees' retirement.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

January 16, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

- Assembly Bill No. 1592

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 1592—An act to amend Sections 999, 999.5, 999.7, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 16, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 1684

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 1684—An act to add Section 379.6 to the Public Utilities Code, relating to energy resources.

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.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bill No. 1667, ordered to third reading;

Assembly Bill No. 162, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance.

Bill read second time; amendments proposed by the Committee on Insurance read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 955—An act to amend Section 65352 of the Government Code, relating to land use.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1320—An act to amend Section 65460.2 of the Government Code, relating to transit village plans.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 911—An act to add Section 148.8 of the Penal Code, relating to public safety services.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ASSEMBLY BILL NO. 1694—An act to add Section 160 to the Penal Code, relating to bail services.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file.

Senate Bill No. 31, on request of Assembly Member Chan;

Assembly Bill No. 1187, on request of Assembly Member Leno.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 1 p.m., Tuesday, January 20, 2004.

GEORGE NAKANO, Acting Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 16, 2004**

The following measures were amended in the Assembly on this day:

AB	RN	
700	0321885	
911	0400526	
979	0400924	
1320	0400866	
1592	0400459	
1684	0400932	
1694	0400686	
Daily Total:		7
Cumulative Total:		3118

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 20, 2004

**ONE HUNDRED FORTIETH SESSION DAY
FOUR HUNDRED FIFTEENTH 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
Tuesday, January 20, 2004

The Assembly met at 1 p.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 Cogdill moved a quorum call of the Assembly.

Motion carried. Time, 1:01 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 1:07 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—77:

Aghazarian	Dymally	Lieber	Plescia
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Calderon	Haynes	Matthews	Samuelian
Campbell	Horton, Jerome	Maze	Simitian
Canciamilla	Horton, Shirley	McCarthy	Spitzer
Chan	Houston	Montanez	Steinberg
Chu	Jackson	Mountjoy	Strickland
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Before we can give anything, we have to possess. And if we feel a calling to give to others, we must first grow in the knowledge of You, Lord, since You are the source of all good things. Help us this day to grow in Your image and to learn Your commandments, so that as we serve others, we may glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member McCarthy 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 legislative business: Assembly Member Harman.

Because of illness: Assembly Member Nation.

Due to travel delays: Assembly Member Chavez.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 7, 2004

*Honorable Herb J. Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I respectfully request to be excused from Assembly Floor Session and my committee activities on Tuesday, January 20th. I will be in my district on legislative business.

Feel free to call me if you have questions. Tiffany Olson is my staff contact and can be reached at 319-2067. Thank you for your consideration of this matter.

Sincerely,

TOM HARMAN, Assembly Member
Sixty-seventh District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 20, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember John Laird to replace Assemblymember Fabian Nunez on the Assembly Appropriations Committee for the January 21st hearing.

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

January 20, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Robert Pacheco to replace Assemblymember Tom Harman as Vice Chair and Assemblymember Tim Leslie to replace Assemblymember Robert Pacheco on the Assembly Judiciary Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

January 20, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Kevin McCarthy to the Joint Legislative Budget Committee.

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 20, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 700

Assembly Bill No. 1592

Assembly Bill No. 911

Assembly Bill No. 1684

Assembly Bill No. 979

Assembly Bill No. 1694

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, January 20, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1320

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Special Committee on State Mandates, on Monday, January 26, 2004, at 10 a.m., in Room 447;

Select Committee on California Infrastructure, on Friday, January 30, 2004 at 9 a.m., in Van Nuys;

Select Committee on Air and Water Quality, on Wednesday, February 11, 2004, at 9:30 a.m.;

Select Committee on Adult Education, on Wednesday, February 25, 2004, at 2 p.m.;

Local Government, on January 22, 2004;

Transportation, on January 22, 2004.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1821—Cohn. An act to amend Section 4620.2 of the Welfare and Institutions Code, relating to developmental services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1822—Chan. An act to amend Section 120335 of the Health and Safety Code, relating to school children immunization.

ASSEMBLY BILL NO. 1823—Wyland. An act to add Section 4114.2 to the Public Resources Code, relating to fire emergency.

ASSEMBLY BILL NO. 1824—Reyes. An act to add Section 13002.1 to the Vehicle Code, relating to identification cards.

ASSEMBLY BILL NO. 1825—Reyes. An act to amend Section 12950 of the Government Code, relating to employment practices.

ASSEMBLY BILL NO. 1826—Bogh. An act to amend Section 530.5 of the Penal Code, relating to professional and trade licenses.

ASSEMBLY BILL NO. 1827—Cohn. An act to amend Section 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

ASSEMBLY BILL NO. 1828—Simitian (Principal coauthor: Nakano) (Coauthor: Frommer). An act to amend Section 12810 of, and to add Section 23123 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1829—Liu. An act to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 39—Liu, Chan, Chu, Nakano, Yee, Shirley Horton, and Nakanishi. Relative to Lunar New Year Celebration.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
156 -----	Trans.
157 -----	Rls.
158 -----	Rls
159 -----	Rls.

AUTHOR'S AMENDMENTS
Committee on Appropriations

January 20, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Assembly Bill No. 269

With author's amendments with the recommendation: Amend, and re-refer to the committee.

STEINBERG, Chair

ASSEMBLY BILL NO. 269—An act to amend Section 33334.25 of the Health and Safety Code, relating to housing.

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.

REPORTS OF STANDING COMMITTEES
Committee on Business and Professions

January 13, 2004

Mr. Speaker: Your Committee on Business and Professions reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 146

Assembly Bill No. 556

CORREA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Health

January 14, 2004

Mr. Speaker: Your Committee on Health reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 216

FROMMER, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Judiciary

January 13, 2004

Mr. Speaker: Your Committee on Judiciary reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 102

CORBETT, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Governmental Organization

Date of Hearing: January 12, 2004

Mr. Speaker: Your Committee on Governmental Organization reports:
Assembly Bill No. 1612

With amendments with the recommendation: Amend, do pass as amended, and be re-referred to the Committee on Appropriations.

JEROME HORTON, Chair

Above bill ordered to second reading.

Committee on Rules

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 141

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.

NATION, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 146
Assembly Concurrent Resolution No. 157
Assembly Concurrent Resolution No. 158

With the recommendation: Be adopted.

NATION, Chair

Above resolutions ordered to third reading.

BILLS RETURNED TO SENATE

The following bills were returned to the Senate for further action, by unanimous consent:

Assembly Bill No. 509, upon request of Assembly Member Jerome Horton;

Assembly Bill No. 1087, upon request of Assembly Member Frommer.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 371

Assembly Member La Suer was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 371; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on January 13, 2004 (Assembly Journal, page 4227); and whereby on January 12, 2004 (Assembly Journal, page 4209), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

JOINT RULE 62(a) WAIVED

Assembly Member Steinberg was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bills Nos. 1694, 124, 733, and 911 for hearing in the Committee on Appropriations on Wednesday, January 21, 2004.

SUSPEND ASSEMBLY RULE 56 AND JOINT RULE 62(a)

Assembly Member Steinberg was granted unanimous consent that Assembly Rule 56 and Joint Rule 62(a) be suspended for the purpose of permitting the Committee on Appropriations to hear Assembly Bill No. 1612 pending re-referral to the committee.

ADJOURN IN MEMORY

Assembly Member Richman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Specialist Fourth Class Michael DiRaimondo, of Simi Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Barbara Gommel, of Lucerne Valley.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank H. Dominguez, of San Bernardino.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Negrete McLeod was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Berglund, of Claremont.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Vargas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marie Vargas, of San Diego.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Dutton, Longville, and Negrete McLeod were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mickey McElwain, of Fontana.

(Assembly Rule 45.5 suspended.)

GOVERNOR'S VETOES STRICKEN FROM FILE

Assembly Member Goldberg was granted unanimous consent that Governor's vetoes of Assembly Bills Nos. 1051 and 1308 be stricken from file.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Goldberg announced her intention to request that Assembly Bill No. 858 be removed from the inactive file.

ADJOURN IN MEMORY

Assembly Member Firebaugh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert "Buddy" Soto, of Claremont.

(Assembly Rule 45.5 suspended.)

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Bates announced her intention to request that Assembly Bill No. 57 be removed from the inactive file.

Pursuant to Assembly Rule 78, Assembly Member Jackson announced her intention to request that Assembly Bill No. 252 be removed from the inactive file.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 44

Assembly Member Pacheco was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 44; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on January 14, 2004 (Assembly Journal, page 4241); and whereby on January 12, 2004 (Assembly Journal, page 4218), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 1320, ordered to third reading.

**UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1618 (Firebaugh)—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read.

Motion to Re-refer Assembly Bill No. 1618 to Committee

Assembly Member Haynes moved that Assembly Bill No. 1618 be re-referred to the Committee on Transportation.

Assembly Member Benoit seconded the motion.

Motion Withdrawn

Assembly Member Haynes, with consent of the second to the motion, withdrew the motion to re-refer Assembly Bill No. 1618 to committee.

**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. 1618 to the Committee on Transportation.

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100 and 1740; and Senate Bills Nos. 1005, 131, and 407 were continued until Thursday, January 22, 2004.

**At 1:43 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 254 (Montanez)—An act to amend Section 1373.621 of the Health and Safety Code, and to amend Section 10116.5 of the Insurance Code, relating to health.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dymally	Lieber	Plescica
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Calderon	Haynes	Matthews	Samuelian
Campbell	Horton, Jerome	Maze	Simitian
Canciamilla	Horton, Shirley	McCarthy	Spitzer
Chan	Houston	Montanez	Steinberg
Chu	Jackson	Mountjoy	Strickland
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 143 (Koretz)—Relative to Spay Day USA 2004.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 143**

Assembly Member Koretz was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 143.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, La Malfa, Laird, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Nunez, Oropeza, Parra, Pavley, Plescica, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Koretz was granted unanimous consent to take up Assembly Concurrent Resolution No. 143, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 143, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 143—Relative to Spay Day USA 2004.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY BILL NO. 224 (Kehoe)—An act to amend Section 13132.7 of, and to add Section 13132.8 to, the Health and Safety Code, relating to roof covering materials.

Bill read third time, and passed by the following vote:

AYES—63

Aghazarian	Dutton	Lieber	Plescia
Benoit	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Runner
Calderon	Goldberg	Maldonado	Salinas
Canciamilla	Hancock	Matthews	Samuelian
Chan	Horton, Jerome	McCarthy	Simitian
Chu	Horton, Shirley	Montanez	Spitzer
Cogdill	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Negrete McLeod	Wiggins
Correa	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Parra	Mr. Speaker
Dutra	Levine	Pavley	

NOES—9

Campbell	Keene	Maze
Haynes	La Malfa	Mountjoy
Houston	La Suer	Nakanishi

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1667 (Kehoe)—An act to amend Section 803 of, to add Sections 801.1, 801.2, and 803.5 to, and to repeal Section 805.5 of, the Penal Code, relating to criminal procedure.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Haynes	Maldonado	Runner
Campbell	Horton, Jerome	Matthews	Salinas
Canciamilla	Horton, Shirley	Maze	Samuelian
Chan	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Kehoe	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Yee
Diaz	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1667: Assembly Member Wyland from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 955 (Wiggins)—An act to amend Section 65352 of the Government Code, relating to land use.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Campbell	Haynes	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chu	Houston	McCarthy	Simitian
Cogdill	Jackson	Montanez	Spitzer
Cohn	Keene	Mountjoy	Steinberg
Corbett	Kehoe	Mullin	Strickland
Correa	Koretz	Nakanishi	Vargas
Cox	La Malfa	Nakano	Wiggins
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker
Dutton	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 98 (Alpert)—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Oropeza.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Garcia	Lowenthal	Runner
Bogh	Goldberg	Maddox	Salinas
Calderon	Hancock	Maldonado	Samuelian
Campbell	Horton, Jerome	Matthews	Simitian
Canciamilla	Horton, Shirley	Maze	Spitzer
Chan	Houston	McCarthy	Steinberg
Chu	Jackson	Montanez	Strickland
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wyland
Correa	La Malfa	Negrete McLeod	Yee
Cox	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Oropeza	
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Garcia	Lowenthal	Runner
Bogh	Goldberg	Maddox	Salinas
Calderon	Hancock	Maldonado	Samuelian
Campbell	Horton, Jerome	Matthews	Simitian
Canciamilla	Horton, Shirley	Maze	Spitzer
Chan	Houston	McCarthy	Steinberg
Chu	Jackson	Montanez	Strickland
Cogdill	Keene	Mullin	Vargas
Cohn	Kehoe	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wyland
Correa	La Malfa	Negrete McLeod	Yee
Cox	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Oropeza	
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF CONSENT CALENDAR

The Assistant Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 1623 (Longville)—An act to amend Section 8020 of the Elections Code, relating to elections.

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.)*

ASSEMBLY BILL NO. 517 (Oropeza)—An act to amend Section 21455.5 of the Vehicle Code, relating to vehicles.

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.)*

ASSEMBLY BILL NO. 1264 (Benoit)—An act to amend Section 4216.8 of the Government Code, relating to excavation equipment.

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.)*

ASSEMBLY JOINT RESOLUTION NO. 41 (Yee)—Relative to psychotropic drugs and youth.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, 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—76

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	Haynes	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chu	Houston	McCarthy	Simitian
Cogdill	Jackson	Montanez	Spitzer
Cohn	Keene	Mountjoy	Steinberg
Corbett	Kehoe	Mullin	Strickland
Correa	Koretz	Nakanishi	Vargas
Cox	La Malfa	Nakano	Wiggins
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker

NOES—None

**ASSEMBLY BILL NO. 419 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Negrete McLeod was granted unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 419 were refused concurrence.

**Further Consideration of Senate Amendments to
Assembly Bill No. 419**

ASSEMBLY BILL NO. 419 (Committee on Public Employees, Retirement and Social Security)—An act to amend Sections 22200, 22224, and 22225 of, and to add Section 22227 to, the Education Code, and to amend Section 4 of Chapter 1049 of the Statutes of 2002, relating to the Teachers' Retirement Board, and declaring the urgency thereof, to take effect immediately.

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—74

Aghazarian	Dymally	Lieber	Pavley
Bates	Firebaugh	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Goldberg	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Haynes	Maldonado	Runner
Calderon	Horton, Jerome	Matthews	Salinas
Campbell	Horton, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chan	Jackson	Montanez	Spitzer
Chu	Keene	Mountjoy	Steinberg
Cogdill	Kehoe	Mullin	Strickland
Cohn	Koretz	Nakanishi	Vargas
Corbett	La Malfa	Nakano	Wiggins
Correa	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

NOES—None

Above bill ordered enrolled.

ADJOURN IN MEMORY

Assembly Member La Malfa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph James LaGrande, of Williams.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Steinberg and Cox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Keicia Hines, of Sacramento.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Frommer announced that the Committee on Health would meet today upon adjournment of Floor Session.

Assembly Member Corbett announced that the Committee on Judiciary would meet today, upon adjournment of Floor Session, in the Tom Bane Rules Committee meeting room.

Assembly Member Liu announced that the Committee on Higher Education would meet today at 2:30 p.m., in Room 437.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Betty Mae Peters Porter, of San Diego and Terrell Darius Sherrills, of Los Angeles.

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 Page Prescott, of Ukiah.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Louise Koontz Blake, of Pasadena and Shirley Rawson, of Riverside.

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 Timothy J. Powers, of Santa Cruz.

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 Mary Coale and Steven Ebert, of Stockton.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alec Skolnick, of San Mateo.

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jessica Saal, of Palo Alto.

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. 254: Canciamilla, Houston, Maddox, and Mullin—Aye.

Assembly Bill No. 224: Leslie, Maddox, and Samuelian—Aye.

Assembly Bill No. 1667: Simitian—Aye.

Assembly Bill No. 955: Simitian—Aye.

Senate Bill No. 98 and Urgency: Houston, Ridley-Thomas, Wiggins, and Wyland—Aye.

Consent Calendar: Ridley-Thomas and Wiggins—Aye.

MOTION TO ADJOURN

At 2:07 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Bermudez seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:07 p.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Runner, of the 36th Assembly District, introduced Jaime Goodreau, Nathan Cross, Raneal Washington, Sarah Tyndall, and Nick Reuter, of Lancaster.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, January 21, 2004, out of respect to the memory of Specialist Fourth Class Michael DiRaimondo, on motion of Assembly Member Richman; out of respect to the memory of Barbara Gommel, on motion of Assembly Member Maze; out of respect to the memory of Frank H. Dominguez, on motion of Assembly Member Garcia; out of respect to the memory of Marie Vargas, on motion of Assembly Member Vargas; out of respect to the memory of Robert "Buddy" Soto, on motion of Assembly Member Firebaugh; out of respect to the memory of Christopher Berglund, on motion of Assembly Member Negrete McLeod; out of respect to the memory of Mickey McElwain, on motion of Assembly Members Dutton, Longville, and Negrete McLeod; out of respect to the memory of Sgt. Keicia Hines, on motion of Assembly Members Steinberg and Cox; out of respect to the memory of Betty Mae Peters Porter and Terrell Darius Sherrills, on motion of Speaker Wesson; out of respect to the memory of Louise Koontz Blake and Shirley Rawson, on motion of Assembly Member Houston; out of respect to the memory of Joseph James LaGrande, on motion of Assembly Member La Malfa; out of respect to the memory of Timothy J. Powers, on motion of Assembly Member Laird; out of respect to the memory of Mary Coale and Steven Ebert, on motion of Assembly Member Matthews; out of respect to the memory of Alec Skolnick, on motion of Assembly Member Mullin; out of respect to the memory of Jessica Saal, on motion of Assembly Member Simitian; and out of respect to the memory of Page Prescott on motion of Assembly Member Berg.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 20, 2004**

The following measure was amended in the Assembly on this day:

AB	RN
269	0401154

Daily Total:	1
Cumulative Total:	3119

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 21, 2004

**ONE HUNDRED FORTY-FIRST SESSION DAY
FOUR HUNDRED SIXTEENTH 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
Wednesday, January 21, 2004

The Assembly met at 7 a.m.

Hon. John J. Benoit, Assembly Member, 64th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—70:

Aghazarian	Dymally	Lowenthal	Plescia
Bates	Frommer	Maddox	Reyes
Benoit	Garcia	Maldonado	Richman
Berg	Goldberg	Matthews	Ridley-Thomas
Bermudez	Hancock	Maze	Runner
Bogh	Harman	McCarthy	Salinas
Calderon	Haynes	Montanez	Samuelian
Canciamilla	Horton, Shirley	Mountjoy	Simitian
Chan	Jackson	Mullin	Spitzer
Chavez	Keene	Nakanishi	Steinberg
Chu	Koretz	Nakano	Strickland
Cogdill	La Malfa	Nation	Wiggins
Cohn	Laird	Negrete McLeod	Wolk
Correa	Leno	Nunez	Wyland
Cox	Leslie	Oropeza	Yee
Daucher	Levine	Pacheco	Mr. Speaker
Diaz	Liu	Parra	
Dutra	Longville	Pavley	

Quorum present.

At 11:03 a.m., Hon. Rebecca Cohn, 24th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Campbell, Corbett, Dutton, Jerome E. Horton, Houston, Kehoe, La Suer, and Lieber.

To attend a funeral: Assembly Member Firebaugh.

Because of a death in his family: Assembly Member Vargas.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 20, 2004

*The Honorable Herb Wesson, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused Wednesday, January 21st, 2004 due to legislative business.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 319-2070.

Sincerely,

JOHN CAMPBELL, Assembly Member
Seventieth District

January 20, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday, January 21, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

January 15, 2004

*Assemblyman Herb Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby request permission to be excused from check-in session on Wednesday, January 21, 2004, to attend the Governor's Blue Ribbon Fire Commission in San Diego. I have been appointed by the Governor to sit on the Commission.

Thank you for your cooperation in this matter.

Sincerely,

BOB DUTTON, Assembly Member
Sixty-third District

January 20, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Wednesday, January 21, 2004, due to legislative business in my district. I will be returning to Sacramento on Thursday, January 22, 2004, in time for Floor Session.

I thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

January 20, 2004

The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, January 21, for legislative meetings in my district.

If you have any questions, please contact Sarah Sprouse in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

December 10, 2003

The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Floor Session, Wednesday, January 21, 2004 due to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CHRISTINE KEHOE
Speaker pro Tempore

January 20, 2004

*The Honorable Herb Wesson, Jr.
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I need to be excused from check-in session for Wednesday, January 21, 2004 because I will be attending the Governor's Blue Ribbon Fire Commission meeting in San Diego.

Thank you for your assistance.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

January 21, 2004

*The Honorable Herb Wesson
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: I would like to be excused from check-in session on January 21, 2004, due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Matt Moretti at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 20, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Judy Chu to replace Assemblymember Ellen Corbett on the Assembly Appropriations Committee for the January 21st hearing.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 20, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember John Longville to replace Assemblymember Christine Kehoe on the Assembly Public Employees, Retirement and Social Security Committee for the January 21st hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 21, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Gene Mullin to replace Assemblymember Gloria Negrete McLeod on the Assembly Appropriations Committee for today's hearing.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 21, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Lloyd Levine to replace Assemblymember Gloria Negrete McLeod as Chair and have appointed Assemblymember Paul Koretz to replace Assemblymember Lloyd Levine on the Assembly Public Employees, Retirement and Social Security Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 21, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 269

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, January 21, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 157

Assembly Concurrent Resolution No. 158

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

Assembly Chamber, January 21, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 141

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1830—Cohn. An act relating to economic development.

ASSEMBLY BILL NO. 1831—Bermudez. An act to amend Section 8592.9 of the Government Code, relating to homeland security, and making an appropriation therefor.

ASSEMBLY BILL NO. 1832—Maze. An act to add and repeal Section 35183.3 of the Education Code, relating to school uniforms.

ASSEMBLY BILL NO. 1833—Reyes. An act to add Section 2899 to the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1834—La Malfa. An act to amend Sections 6303 and 6304.1 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 1835—La Malfa. An act to amend Section 190.2 of the Penal Code, relating to murder.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 163—Spitzer. Relative to the Officer Shannon Distel Memorial Interchange.

**REPORTS OF STANDING COMMITTEES
Committee on Judiciary**

Date of Hearing: January 13, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 537

With amendments with the recommendation: Amend, and do pass, as amended.

CORBETT, Chair

Above bill ordered to second reading.

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1706

Assembly Bill No. 1707

With the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 1704

Assembly Bill No. 1711

Assembly Bill No. 1709

Assembly Bill No. 1714

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: January 20, 2004

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 57

With the recommendation: Be adopted.

CORBETT, Chair

Above resolution ordered to third reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 476

With the recommendation: Do pass.

LEVINE, Chair

Above bill ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 979

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

LEVINE, Chair

Above bill ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1612—An act to add Article 4.5 (commencing with Section 4146) to Chapter 1 of Part 2 of Division 4 of the Public Resources Code, relating to disasters.

Bill read second time; amendments proposed by the Committee on Governmental Organization read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 858, on request of Assembly Member Goldberg;

Assembly Bill No. 57, on request of Assembly Member Bates;

Assembly Bill No. 252, on request of Assembly Member Jackson.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, January 22, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 21, 2004**

The following measure was amended in the Assembly on this day:

AB RN
1612 0401018

Daily Total:	1
Cumulative Total:	3120

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 22, 2004

**ONE HUNDRED FORTY-SECOND SESSION DAY
FOUR HUNDRED SEVENTEENTH 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, January 22, 2004

The Assembly met at 9 a.m.
Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Dutra moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:15 a.m., Assistant Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	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
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
Dutton	Leslie	Pacheco	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, It seems easy to love people who live in other places, while it is not always easy to love those close to us. It can be easier to give a loaf of bread to relieve hunger than to relieve the loneliness or pain of someone in our own home. Heavenly Father, help us to bring love into our own home, for this is where our love for each other must begin.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, 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 Firebaugh, seconded by Assembly Member Vargas.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

On legislative business: Assembly Member Chan.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

January 21, 2004

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: I am requesting to be excused from Floor Session on Thursday, January 22, 2004, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1612

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, January 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 57

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1836—Harman. An act to amend Sections 1354 and 1366.3 of, to amend and renumber Section 1368.4 of, and to add Article 5 (commencing with Section 1363.810) to Chapter 4 of, and Article 1 (commencing with Section 1368.3) and Article 2 (commencing with Section 1369.510) to Chapter 7 of, Title 6 of Part 4 of Division 2 of, the Civil Code, and to repeal Section 383 of the Code of Civil Procedure, relating to common interest developments.

ASSEMBLY BILL NO. 1837—Maze. An act to amend Sections 6101 and 6105 of the Public Resources Code, relating to the State Lands Commission.

ASSEMBLY BILL NO. 1838—Jerome Horton. An act to add and repeal Sections 19605.75, 19605.76, and 19605.77 of the Business and Professions Code, relating to horse racing, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1839—Montanez. An act to amend Section 2982 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, relating to consumers.

ASSEMBLY BILL NO. 1840—Frommer (Principal coauthor: Senator Scott). An act to amend Section 4702 of the Labor Code, relating to workers' compensation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 164—Haynes. Relative to Ronald Reagan Day.

ASSEMBLY JOINT RESOLUTION NO. 59—Maze. Relative to military base closures.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
160 -----	Rls.
161 -----	Rls.
162 -----	Trans.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
58 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
39 -----	Rls.

**AUTHOR'S AMENDMENTS
Committee on Rules**

January 22, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:

House Resolution No. 20

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NATION, Chair

HOUSE RESOLUTION NO. 20—Relative to Cover the Uninsured Week.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Public Employees, Retirement and Social Security**

January 22, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 437

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

SENATE BILL NO. 437—An act relating to state employees, 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.

REPORTS OF STANDING COMMITTEES**Committee on Appropriations**

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 61

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.

STEINBERG, Chair

Above resolution ordered to the Consent Calendar.

Committee on Rules

Date of Hearing: January 22, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 153

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.

NATION, Chair

Above resolution ordered to the Consent Calendar.

Committee on Local Government

Date of Hearing: January 22, 2004

Mr. Speaker: Your Committee on Local Government reports:

Senate Joint Resolution No. 23

With the recommendation: Be adopted.

SALINAS, Chair

Above resolution ordered to third reading.

REQUEST FOR PHOTOGRAPHER

Assembly Members Firebaugh, Dymally, and Leslie were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILL RETURNED TO SENATE

Assembly Member Wiggins was granted unanimous consent that Assembly Bill No. 1498 be returned to the Senate for further action.

JOINT RULE 62(a) WAIVED

Assembly Member Firebaugh was granted unanimous consent to waive Joint Rule 62(a) to permit the following bills to be heard in committees, as noted:

Committee on Transportation, to hear Assembly Bill No. 1618 today;
Committee on Local Government, to hear Senate Joint Resolution No. 23 today.

BILLS PLACED ON INACTIVE FILE

The following bills were placed upon the inactive file:

Senate Bills Nos. 348 and 1056, on request of Assembly Member Firebaugh.

CEREMONY SET FOR SPECIAL ORDER OF BUSINESS

Assembly Member Firebaugh was granted unanimous consent that a special ceremony to honor Speaker Wesson be made a special order of business for Monday, February 2, 2004, at 12:30 p.m.

**SWEARING-IN OF SPEAKER-ELECT
SET FOR SPECIAL ORDER OF BUSINESS**

Assembly Member Firebaugh was granted unanimous consent that the swearing-in of Speaker-elect Fabian Nunez be made a special order of business for Monday, February 9, 2004, at 12:30 p.m.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Berg was granted unanimous consent that the Governor's veto of Assembly Bill No. 946 be stricken from file.

Assembly Member Maze was granted unanimous consent that the Governor's veto of Assembly Bill No. 922 be stricken from file.

ADJOURN IN MEMORY

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank Allen, of Chico.

(Assembly Rule 45.5 suspended.)

BILLS WITHDRAWN FROM COMMITTEE AND PLACED ON FILE

Assembly Member Steinberg was granted unanimous consent that Assembly Bill No. 269, be withdrawn from the Committee on Appropriations and placed on the second reading file.

ADJOURN IN MEMORY

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lovell Gooden, of Sacramento.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Blake Hudson Harris, of Rancho Cucamonga; and Christopher Alan Heyman, of Rancho Cucamonga.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:30 a.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Liu introduced the following guests representing the World Cultural and Sports Foundation, Inc. (WCSF):

Grandmaster Tong Suk Chun, President of the World Cultural and Sports Foundation; Dr. Kun Mo Chung, International Grand Marshall MLK Parade, President of Hoseo University of Korea; Rev. Bar Wool Lee, Secretary General WCSF of Japan; Rev. Tsugumichi Okawa, International Celebrity Grand Marshall, and Mr. Young Youl Lee, President of Gangnam Gu Sports Assoc. Korea.

Speaker Wesson introduced Larry Grant, founder of the Martin Luther King Parade in Los Angeles.

Assembly Member Liu then presented a resolution to Grandmaster Tong Suk Chun commending the WCSF for providing California's youth with an opportunity to understand and respect differing cultures.

* * *

At 9:36 a.m., Assembly Member Firebaugh introduced the following delegation from the Republic of Mexico:

The Honorable Miguel Sadot Sánchez Carreño, Mexican Senator from the State of Oaxaca, President of the Mexican Senate Delegation to the California State Capitol, President of the Human Rights Commission; The Honorable Micaela Aguilar González, Mexican Senator from the State of Mexico, Secretary of the Human Rights Commission; The Honorable Raymundo Cárdenas Hernández, Mexican Senator from the State of Zacatecas, Member of the Human Rights Commission; The Honorable Rutilio Cruz Escandón Cadenas, Mexican Senator from the State of Chiapas, Member of the Human Rights Commission; The Honorable Guillermo Herbert Pérez, Mexican Senator from the State of Querétaro, Member of the Human Rights Commission.

On behalf of the Latino Legislative Caucus, Assembly Member Firebaugh then presented a resolution to The Honorable Miguel Sadot Sánchez Carreño, welcoming the Mexican Senate Delegation to the California State Capitol and commending their contributions to friendship and cooperation, whereupon he addressed the assemblage.

RECONVENED

At 9:43 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 537—An act to add Section 354.8 to the Code of Civil Procedure, relating to statutes of limitation.

Bill read second time; amendments proposed by the Committee on Judiciary read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1706—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1707—An act to amend Section 54.3 of the Civil Code, relating to civil rights.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1704—An act to amend Section 27282 of the Government Code, relating to family law.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1709—An act to amend Sections 68085, 68502.7, and 77006.5 of the Government Code, relating to courts.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1711—An act to amend Sections 6028 and 6140.7 of the Business and Professions Code, relating to attorneys.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1714—An act to amend Section 1281 of the Code of Civil Procedure, relating to arbitration.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 476—An act to amend Section 31642 of the Government Code, relating to county employees retirement.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 979—An act to amend Section 31520.5, 31681.8, 31683, 31704, and 31789.5 of, to add Sections 31762.5, 31763.5, 31764.5, 31764.6, and 31764.7 to, and to repeal Section 31520.3 of, the Government Code, relating to county employees' retirement.

Bill read second time, and ordered to Consent Calendar.

BILLS RETURNED TO THIRD READING FILE

Assembly Member Jackson was granted unanimous consent that Assembly Bill No. 406 be withdrawn from the inactive file and placed upon the third reading file.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 323 (Parra)—An act to add Article 7 (commencing with Section 999.50) to Chapter 6 of Division 4 of the Military and Veterans Code, relating to veterans.

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	Firebaugh	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Hancock	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	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	
Dutton	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—None

Above bill ordered enrolled.

(NOTE: On February 2, 2004, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 323 and whereby the bill was ordered enrolled. See page 4432.)

MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motion to reconsider the vote on Assembly Bills Nos. 100 and 1740; and Senate Bills Nos. 1005, 131, and 407 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1187 (Leno)—An act to add Article 10 (commencing with Section 33492.150) to Chapter 4.5 of Part 1 of Division 24 of the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Firebaugh	Lieber	Parra
Benoit	Frommer	Liu	Pavley
Berg	Garcia	Longville	Plescia
Bermudez	Goldberg	Lowenthal	Reyes
Bogh	Hancock	Maddox	Richman
Calderon	Harman	Maldonado	Ridley-Thomas
Campbell	Horton, Jerome	Matthews	Runner
Chavez	Horton, Shirley	Maze	Salinas
Chu	Houston	McCarthy	Samuelian
Cogdill	Jackson	Montanez	Simitian
Cohn	Keene	Mountjoy	Spitzer
Corbett	Kehoe	Mullin	Steinberg
Correa	Koretz	Nakanishi	Strickland
Cox	La Malfa	Nakano	Vargas
Daucher	La Suer	Nation	Wiggins
Diaz	Laird	Negrete McLeod	Wolk
Dutra	Leno	Nunez	Yee
Dutton	Leslie	Oropeza	Mr. Speaker
Dymally	Levine	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1320 (Dutra)—An act to amend Section 65460.2 of the Government Code, relating to transit village plans.

Bill read third time, and passed by the following vote:

AYES—58

Benoit	Dymally	Levine	Pavley
Berg	Firebaugh	Lieber	Reyes
Bermudez	Frommer	Liu	Richman
Bogh	Garcia	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Campbell	Hancock	Maldonado	Simitian
Canciamilla	Harman	Matthews	Spitzer
Chavez	Horton, Jerome	Montanez	Steinberg
Chu	Horton, Shirley	Mullin	Vargas
Cohn	Jackson	Nakano	Wiggins
Corbett	Kehoe	Nation	Wolk
Correa	Koretz	Negrete McLeod	Yee
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Parra	

NOES—20

Aghazarian	Houston	Maze	Plescia
Cogdill	Keene	McCarthy	Runner
Cox	La Malfa	Mountjoy	Samuelian
Dutton	La Suer	Nakanishi	Strickland
Haynes	Maddox	Pacheco	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 57 (Jackson)—Relative to the 31st anniversary of Roe v. Wade.

Resolution read.

Motion to Amend by Assembly Member Haynes—Set 1

Assembly Member Haynes moved the adoption of amendments.

Amendments read.

**Motion to Table Haynes Amendments
to Assembly Joint Resolution No. 57—Set 1**

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Haynes to Assembly Joint Resolution No. 57 be laid upon the table.

Assembly Member Nakano seconded the motion.

Motion carried by the following vote:

AYES—48

Berg	Firebaugh	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Richman
Chavez	Hancock	Matthews	Ridley-Thomas
Chu	Horton, Jerome	Montanez	Salinas
Cohn	Jackson	Mullin	Simitian
Corbett	Kehoe	Nakano	Steinberg
Correa	Koretz	Nation	Vargas
Daucher	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Parra	Mr. Speaker

NOES—27

Aghazarian	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland
Dutton	La Suer	Pacheco	

At 10:47 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

Further Consideration of Assembly Joint Resolution No. 57

Members Made Coauthors of Assembly Joint Resolution No. 57

Assembly Member Jackson was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Joint Resolution No. 57.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Bermudez, Canciamilla, Correa, Dymally, Firebaugh, Frommer, Jerome Horton, Lieber, Longville, Negrete McLeod, Nunez, Parra, Pavley, Richman, and Simitian.

Request for Unanimous Consent

Assembly Member Jackson was granted unanimous consent to take up Assembly Joint Resolution No. 57, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 57, as Amended

ASSEMBLY JOINT RESOLUTION NO. 57—Relative to the 31st anniversary of Roe v. Wade.

Resolution read, as amended, and adopted by the following vote:

AYES—49

Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Hancock	Montanez	Simitian
Chavez	Horton, Jerome	Mullin	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Diaz	Levine	Parra	
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—25

Aghazarian	Garcia	Maze	Samuelian
Benoit	Haynes	McCarthy	Spitzer
Bogh	Keene	Mountjoy	Strickland
Campbell	La Malfa	Nakanishi	Wyland
Cogdill	La Suer	Pacheco	
Cox	Leslie	Plescia	
Dutton	Maddox	Runner	

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 694 (Committee on Natural Resources and Wildlife)—An act to amend Sections 4750.7 and 31164 of, to add Section 31012 to, and to repeal Sections 532, 2804.6, and 2813 of, the Public Resources Code, relating to public resources, and making an appropriation therefor.

Bill read third time, and presented by Assembly Member Nation.

Bill passed by the following vote:

AYES—77

Aghazarian	Firebaugh	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
Chavez	Horton, Shirley	McCarthy	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	
Dutton	Leslie	Pacheco	
Dymally	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY CONCURRENT RESOLUTION NO. 157 (Yee)—Relative to blood donors.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 157**

Assembly Member Yee was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 157.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Yee was granted unanimous consent to take up Assembly Concurrent Resolution No. 157, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 157, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 157—Relative to blood donors.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 158 (Yee)—Relative to Mental Wellness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 158**

Assembly Member Yee was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 158.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Spitzer, Strickland, Vargas, Wesson, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Yee was granted unanimous consent to take up Assembly Concurrent Resolution No. 158, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 158, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 158—Relative to Mental Wellness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Shirley Horton was granted unanimous consent that the following statement of legislative intent be printed in the Journal:

Legislative Intent—Assembly Bill No. 1145

January 12, 2004

*Mr. Dotson Wilson, Chief Clerk
California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Wilson: This letter is to clarify my intent in authoring AB 1145, which would require the Department of General Services to provide for the placement and use of automated external defibrillators in state-owned and leased buildings. The bill also ensures that people are trained in the use of such defibrillators.

The bill makes reference to the American Red Cross and the American Heart Association as two organizations that the Department of General Services shall consult with regarding policies and procedures concerning placement, use, and training. In identifying such organizations it is not my intent to exclude other organizations from providing meaningful input during this process.

For example, one such organization not specified in AB 1145 is the American Safety and Health Institute, which is a non-profit association of professional safety, and health educators providing national training programs through more than 4,000 approved training centers across the United States and foreign countries.

It is important that the Department of General Services develop the best training services possible, by providing for a wide array of input from safety and health organizations that specialize in such training.

Sincerely,

SHIRLEY A. HORTON, Assembly Member
Seventy-eighth District

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Oropeza announced that the Committee on Budget scheduled for Monday, January 26, 2004, is postponed.

Assembly Member Salinas announced that the Committee on Local Government would meet today upon adjournment of Floor Session, in the Tom Bane Rules Committee Room.

ADJOURN IN MEMORY

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 Chiyono Helen Ueda, of Sacramento.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 162 (Cohn)—An act to repeal Section 18502.5 of the Health and Safety Code, relating to mobilehome parks, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

ASSEMBLY CONCURRENT RESOLUTION NO. 141 (Runner)—Relative to Four Chaplains 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.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—73

Aghazarian	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chavez	Horton, Jerome	McCarthy	Spitzer
Chu	Horton, Shirley	Montanez	Steinberg
Cogdill	Houston	Mountjoy	Strickland
Cohn	Jackson	Mullin	Vargas
Corbett	Keene	Nakanishi	Wiggins
Correa	Kehoe	Nakano	Wolk
Cox	Koretz	Negrete McLeod	Wyland
Daucher	Laird	Nunez	Mr. Speaker
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	

NOES—None**ANNOUNCEMENTS**

Assembly Member Firebaugh announced the following session schedule for the week of January 26, 2004:

Monday, January 26, Floor Session, 12 noon;

Tuesday and Wednesday, January 27 and 28, no session;

Thursday, January 29, Floor Session, 9 a.m.

ANNOUNCEMENTS

Assembly Member Firebaugh made the following announcements pursuant to leadership agreement:

Monday, January 26th is the last day to amend bills on the third reading file;

Today is the last day to remove items from the inactive file for purpose of amendment; amendments will be taken up for consideration on Monday, January 26th, and the bills will be eligible for further consideration on Thursday, January 29th; and

Monday, January 26th is the last day to remove items from the inactive file for purpose of consideration on Thursday, January 29th.

REQUEST FOR UNANIMOUS CONSENT

Assembly Member Firebaugh was granted unanimous consent for the following actions:

1) all bills reported from the Committee on Appropriations today with a "Do Pass" recommendation, be taken up without reference to file for purpose of second reading and that the bills be ordered to the third reading file for Monday, January 26th;

2) all bills reported from the Committee on Appropriations today with a "Do Pass to Consent" recommendation, be taken up without reference to file for purpose of second reading and that the bills be ordered to the First Day Consent Calendar for Monday, January 26th;

3) all bills reported from the Committee on Appropriations today with a "Do Pass as Amended to Consent" recommendation, be taken up without reference to file for purpose of second reading and adoption of committee amendments, and that the bills be ordered to the First Day Consent Calendar for Monday, January 26th; and that

4) all bills reported from the Committee on Appropriations by close of business Friday, January 23rd, with a "Do Pass as Amended" recommendation, be taken up without reference to file for purpose of second reading and adoption of committee amendments and ordered to the third reading file for consideration on Thursday, January 29th.

Motion to Adjourn

At 11:06 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Leslie and Dutra arose to speak on the condition of the file.

MOTION WITHDRAWN

The motion to adjourn by Assembly Member Firebaugh was withdrawn, with the consent of the second to the motion.

BILLS RETURNED TO THIRD READING FILE

Assembly Member Ridley-Thomas was granted unanimous consent that Assembly Bill No. 992 be withdrawn from the inactive file and placed upon the third reading file.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jim Johnson, of San Clemente and Grace Steiner, of San Juan Capistrano.

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 Dorothy Grace (Johnson) Lind, of Nice.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Elizabeth Pierce, of San Diego.

Assembly Members Laird and Salinas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bruce Woolpert, of Watsonville.

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. 323, Concurrence: Canciamilla, Correa, Firebaugh, Shirley Horton, Houston, Jackson, Kehoe, and Maddox—Aye.

Assembly Bill No. 1187: Correa, Houston, Jackson, Kehoe, Liu, Mountjoy, Nakanishi, and Plescia—Aye.

Assembly Bill No. 1320: Correa and Kehoe—Aye; Plescia—No.

Assembly Joint Resolution No. 57, Motion to Table Haynes amendments: Daucher, Kehoe, and Richman—Aye.

Assembly Joint Resolution No. 57: Maddox—No.

Senate Bill No. 694: Jerome Horton, Shirley Horton, and Maldonado—Aye.

Consent Calendar: Parra—Aye.

MOTION TO ADJOURN

At 11:09 a.m., Assembly Member Nakano moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:10 a.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

**REPORTS OF STANDING COMMITTEES
Committee on Appropriations**

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|----------------------------------|------------------------|
| Assembly Bill No. 320 | Assembly Bill No. 932 |
| Assembly Bill No. 379 | Assembly Bill No. 1091 |
| Assembly Bill No. 384 | Assembly Bill No. 1260 |
| Assembly Bill No. 389 | Assembly Bill No. 1272 |
| Assembly Bill No. 454 | Assembly Bill No. 1432 |
| Assembly Bill No. 477 | Assembly Bill No. 1520 |
| Assembly Bill No. 664 | Assembly Bill No. 1564 |
| Assembly Bill No. 700 | Assembly Bill No. 1643 |
| Assembly Bill No. 775 | |

With the recommendation: Do pass.

STEINBERG, Chair

Above bills ordered to second reading.

(NOTE: On January 26, 2004, the action was rescinded whereby the above Report of the Committee on Appropriations relative to Assembly Bill No. 700 was received and read in the Assembly. See page 4354.)

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1650 | Assembly Bill No. 1726 |
| Assembly Bill No. 1655 | Assembly Bill No. 1784 |
| Assembly Bill No. 1663 | Assembly Bill No. 1785 |
| Assembly Bill No. 1694 | |

With the recommendation: Do pass.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 129 | Assembly Bill No. 1126 |
| Assembly Bill No. 279 | Assembly Bill No. 1127 |
| Assembly Bill No. 340 | Assembly Bill No. 1138 |
| Assembly Bill No. 549 | Assembly Bill No. 1356 |
| Assembly Bill No. 891 | Assembly Bill No. 1592 |
| Assembly Bill No. 1000 | Assembly Bill No. 1596 |
| Assembly Bill No. 1071 | Assembly Bill No. 1684 |

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 56 | Assembly Bill No. 321 |
| Assembly Bill No. 124 | Assembly Bill No. 392 |
| Assembly Bill No. 152 | Assembly Bill No. 750 |
| Assembly Bill No. 204 | Assembly Bill No. 848 |
| Assembly Bill No. 242 | Assembly Bill No. 1175 |

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1510

Assembly Bill No. 1550

Assembly Bill No. 1699

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 672

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 868

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1466

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 911

Assembly Bill No. 1240

Assembly Bill No. 1073

Assembly Bill No. 1454

With the recommendation: Do pass, as amended.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bills be placed on the Consent Calendar.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 338

Assembly Bill No. 614

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 1224

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

SECOND READING OF BILLS BY UNANIMOUS CONSENT

Pursuant to unanimous consent granted earlier this day, the following bills were taken up for second reading and adoption of any committee amendments:

ASSEMBLY BILL NO. 320—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 379—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 384—An act to amend Sections 308, 2762, 3326, and 5005 of, and to add Section 5030 to, the Penal Code, and to amend Section 1752.5 of, and to add Section 1712.5 to, the Welfare and Institutions Code, relating to tobacco products.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 389—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of the Health and Safety Code, relating to hazardous substances.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 454—An act to add and repeal Division 9 (commencing with Section 9000) of the Harbors and Navigation Code, relating to harbors and ports.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 477—An act to amend Section 5060 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 664—An act to amend Section 10115.5 of the Public Contract Code, relating to public contracts.

Bill read second time, and ordered to third reading.

~~**ASSEMBLY BILL NO. 700**—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.~~

~~Bill read second time, and ordered to third reading.~~

(NOTE: On January 26, 2004, the action was rescinded whereby Assembly Bill No. 700 was read a second time and ordered to third reading. See page 4354.)

ASSEMBLY BILL NO. 775—An act to amend Sections 2331, 2333, and 2333.5 of the Streets and Highways Code, relating to transportation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 932—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1091—An act to amend Section 120130 of the Health and Safety Code, relating to disease prevention.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1260—An act to amend Sections 19720 and 19721 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1272—An act to add Section 11713.17 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1432—An act to amend Sections 656 and 793 of, and to add Sections 656.5 and 793.5 to, the Penal Code, relating to former jeopardy.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1520—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1564—An act to amend Section 56000 of, to add Section 56000.6 to, and to add Article 7 (commencing with Section 79220) to Chapter 9 of Part 48 of, the Education Code, relating to special education.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1643—An act to add Section 2750.7 to the Labor Code, relating to employment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1650—An act to amend Sections 406, 44279.2, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44401, 44402, 44403, 44404, 44503, 44507, 44579.1, 44731, 52272, 99200, 99220, 99221, 99222, 99223, 99224, 99225, 99226, 99232, 99234, 99236, and 99237 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, and to repeal Sections 44279.7, 44384, 44505, 44506, 44579.2, 44579.4, 44579.5, 44730, 99203, 99227, 99234.5, and 99235 of, the Education Code, relating to teacher development.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1655—An act to add Sections 1798.210, 1798.211, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1663—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1694—An act to add Section 160 to the Penal Code, relating to bail services.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1726—An act to amend Section 47021 of the Food and Agricultural Code, relating to agriculture.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1784—An act to amend Section 86205 of, and to add Sections 86119 and 89518.5 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, and ordered to third reading.

ASSEMBLY BILL NO. 1785—An act to amend Section 86205 of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 129—An act to amend Section 241.1 of, and to add Section 241.2 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 279—An act to amend Section 5101.8 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 340—An act to amend Sections 21464, 40000.13, and 42001 of the Vehicle Code, relating to traffic control devices.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 549—An act to amend Section 243.83 of the Penal Code, relating to crime.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 891—An act to amend Section 44010 of the Education Code, relating to school employees.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1000—An act to amend Sections 1502, 2117, 6210, and 8210 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1071—An act to amend Section 19227 of, and to amend, repeal, and add Section 15061 of the Food and Agricultural Code, relating to commercial feed, and making an appropriation therefor.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1126—An act to amend Section 17072.10 of the Education Code, relating to school facilities.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1127—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1138—An act to amend Sections 5007, 22511.56, and 22511.57 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1356—An act to add Chapter 1.5 (commencing with Section 13995.150) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to tourism.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1592—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1596—An act to amend Section 1363.07 of the Health and Safety Code, and to amend Section 10113.8 of the Insurance Code, relating to health care coverage.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1684—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 56—An act to amend Sections 46112 and 48200 of, to add Sections 46112.1 and 48200.1 to, and to add Article 6.5 (commencing with Section 8234.10) to Chapter 2 of Part 6 of, the Education Code, relating to children, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 124—An act to amend Section 17052 of the Education Code, relating to school facilities, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 152—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56329, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56506, and 56863 of, to add Section 56440.5 and 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 204—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 242—An act to add Sections 44225.1, 44227.8, 44830.4, and 45062 to, to add Chapter 1.5 (commencing with Section 99050) to Part 65 of, and to add and repeal Sections 44304 and 44308.5 of, the Education Code, relating to teachers.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 321—An act to add Section 1366.2 to the Health and Safety Code, relating to health care.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 392—An act to add Section 164.60 to the Streets and Highways Code, relating to transportation.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 750—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 848—An act to amend Sections 17039 and 23036 of, and to add and repeal Sections 17053.63, 17250.8, 23633, and 24349.8 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1175—An act to amend Sections 44775.1, 44775.7, and 44775.8 of the Education Code, and to repeal Section 5 of Chapter 702 of the Statutes of 2002, relating to public schools.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1510—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1550—An act to add Section 13105 to the Government Code, relating to public education.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1699—An act to add Article 10.4 (commencing with Section 25214.30) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 672—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 868—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1466—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42250) and Chapter 20 (commencing with Section 42970) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 911—An act to add Section 148.8 to the Penal Code, relating to public safety services.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1073—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1240—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, relating to care facilities.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1454—An act to add Section 116183 to the Health and Safety Code, relating to the West Nile virus.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 338—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 614—An act relating to athletic trainers.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 1224—An act relating to sex offender registration, and making an appropriation therefor.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 419

And reports the same correctly enrolled, and presented to the Governor on the 22nd day of January, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE GOVERNOR

The following veto messages from the Governor were received and ordered printed in the Journal and the bills ordered to the unfinished business file:

Veto Message—Assembly Bill No. 900

Governor's Office, Sacramento

January 21, 2004

To the Members of the California State Assembly:

I am returning Assembly Bill 900 without my signature.

I have several concerns with this bill, which would allow money, allocated from an increase in the takeout from the pari-mutuel pools on horse races in California, to be used to help defray the cost of workers' compensation insurance within the California horse racing industry.

While I agree with the concept in this bill, providing additional takeout to help defray increased workers' compensation costs for horse racing, the entire workers' compensation system needs to be reformed in a comprehensive manner. As with other industries in California, the racing industry is severely impacted by the workers' compensation crisis. Pending before you is my comprehensive

workers' compensation reform proposal, which I have asked you to act on and send to me by March 1. Narrowly-drawn solutions should be considered as part of the comprehensive reform efforts. California's employers and workers are suffering under the weight of an out-of-control workers' compensation system.

This bill was a "gut and amend" during the waning days prior to the interim study recess last September. It only had one last minute policy committee hearing in the Assembly. We owe the people of California as much sunshine on the process as possible and I will take an extremely close look at every bill presented to me that has been rushed through the process. The sponsors of this bill have already recognized that this measure requires some additional "clean-up" language, a further demonstration that the process was inadequate for this bill.

The issues that need to be addressed in future legislation include the governance of the fund, methods of distribution of the funds and the lack of further review of the necessity of the additional takeout in the future.

I look forward to working with the industry and the author to address all the concerns that have been raised with this measure and to insure a robust future for the horse racing industry.

Sincerely,

ARNOLD SCHWARZENEGGER

Veto Message—Assembly Bill No. 968

Governor's Office, Sacramento

January 21, 2004

To Members of the California State Assembly:

I am returning Assembly Bill 968 without my signature.

This bill creates a presumption that any adverse reaction, injury, disability, or death incurred by an employee as a result of a vaccination or medication administered to prevent the transmission of, infection by, or exposure to, a biochemical substance or blood-borne infectious disease has arisen out of and in the course of employment for the purposes of workers' compensation benefits. Current law permits employees to file claims for these illnesses.

While I fully support the protection of health care providers, first responders, law enforcement personnel and other employees in our fight against bioterrorists, language in AB 968 allows for workers' compensation claims when adverse reactions occur as a result of vaccination or medication that is not administered at the request or direction of an employer. In fact, illnesses contracted as a result of vaccinations required by their employers are already compensable. As we work to reform California's ailing workers' compensation system, it is critical that we ensure that those injuries compensated by employers are related to employment.

I look forward to the opportunity to work with the legislature to avoid unintended adverse impacts on both employers and employees.

Sincerely,

ARNOLD SCHWARZENEGGER

RECEIPT

I acknowledge receipt this 22nd day of January, 2004 at 1:35 p.m., of AB 900 and AB 968 without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Nanette Madsen.

LAWRENCE A. MURMAN
Assistant Chief Clerk of the Assembly

The following message from the Governor was received and ordered printed in the Journal:

Governor's Message—Assembly Bill No. 1501

Governor's Office, Sacramento
January 21, 2004

To Members of the California State Assembly:

I am signing AB 1501, which would permit a candidate the opportunity to change his or her initial decision to accept or reject voluntary campaign spending limits up until the time nomination papers are filed.

The intent of the legislation is to prohibit the candidate from changing his or her statement of acceptance or rejection of voluntary campaign spending limits no more than twice after the filing of the statement of intention and prior to the deadline for filing the nomination papers. However, as drafted, the bill references the initial filing of the nomination papers rather than the statement of intention.

I sign this bill with the understanding that the author intends to clarify his intent with subsequent legislation.

Sincerely,

ARNOLD SCHWARZENEGGER

MESSAGES FROM THE SENATE

January 21, 2004

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill 604 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

ADJOURNMENT

At 11:11 a.m., pursuant to the motion by Assembly Member Nakano, the Assembly adjourned until 12 noon, Monday, January 26, 2004, out of respect to the memory of Frank Allen, Blake Hudson Harris, and Christopher Alan Heyman, on motion of Assembly Member Dutton; out of respect to the memory of Lovell Gooden, on motion of Assembly Member Steinberg; out of respect to the memory of Chiyono Helen Ueda, on motion of Assembly Member Jerome E. Horton; out of respect to the memory of Jim Johnson and Grace Steiner, on motion of Assembly Member Bates; out of respect to the memory of Dorothy Grace (Johnson) Lind, on motion of Assembly Member Berg; out of respect to the memory of Elizabeth Pierce, on motion of Assembly Member Chavez; and out of respect to the memory of Bruce Woolpert, on motion of Assembly Members Laird and Salinas.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JANUARY 22, 2004

The following measures were amended in the Assembly on this day:

AB	RN
56	0401410
124	0401205
152	0400827
204	0401336
242	0401471
321	0400262
338	0401608
392	0401321
537	0401137
614	0401639
672	0400859
750	0401091
848	0400933
868	0401293
911	0400974
1073	0401208
1175	0400637
1224	0401627
1240	0400823
1454	0400948
1466	0401727
1510	0400799
1550	0401453
1699	0401312

HR	RN
20	0401290

SB	RN
437	0401282

Daily Total:	26
Cumulative Total:	3146

Amendments were considered by the Assembly, but not adopted, to the following measure:

AJR

57 (Haynes amendments—RN0401535, laid upon the table)

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, January 26, 2004

**ONE HUNDRED FORTY-THIRD SESSION DAY
FOUR HUNDRED TWENTY-FIRST 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, January 26, 2004

The Assembly met at 12 noon.
Hon. Leland Y. Yee, Assistant 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 Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 12:01 p.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 12:14 p.m., Assistant Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—78:

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mountjoy	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Leland Y. Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, We often look for guidance in our lives in seminars and self-help products. But just as the previous year passes, so too, do the latest gimmicks for self-improvement. Yet, You, Lord, have given us Your Holy Word that is useful for teaching, for correction and for training in righteousness. Lord, grant us Your Divine guidance for living in this world, so that through prayer and study, we may understand growth and change in terms of our spiritual lives and well-being.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, Assembly Member Jackson 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 Kehoe and Nation.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 20, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Chris Threatt
to Cancer Research Council

Dear Mr. Wilson: Please be advised I have appointed Dr. Chris Threatt to the Cancer Research Council. This is a term appointment starting January 20, 2004 and the expiration date is April 11, 2006. Dr. Threatt will be replacing Dr. Kristie Bobolis.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 20, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Jackie Goldberg
to Curriculum Development and Supplemental Materials Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Jackie Goldberg to the Curriculum Development and Supplemental Materials Commission. This is a pleasure appointment starting January 20, 2004.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 21, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Gerald Sallus
to Stem Cell Research Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Gerald Sallus to the Stem Cell Research Advisory Panel. This is a pleasure appointment starting January 21, 2004.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 23, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Anthony Samad and Alice Huffman
to the Brown v. Board of Education of Topeka Advisory Commission

Dear Mr. Wilson: Please be advised I have appointed Mr. Anthony Samad and Ms. Alice Huffman to the Brown v. Board of Education of Topeka Advisory Commission. These are pleasure appointments starting January 23, 2004.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 23, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of Tyrone R. Freeman
to Employment Training Panel

Dear Mr. Wilson: Please be advised I have reappointed Mr. Tyrone R. Freeman to the Employment Training Panel. This is a term appointment starting January 23, 2004 and the expiration date is January 1, 2006.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 23, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Richard Verches
to High School Exit Examination Independent Consultant
Selection Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Richard Verches to the High School Exit Examination Independent Consultant Selection Panel. This is a pleasure appointment starting January 23, 2004.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 23, 2004

E. Dotson Wilson
California Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Dave Cox to the Assembly Banking and Finance Committee, increasing the membership of the committee from 12 to 13.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Michelle L. Levy, Senior Legal Analyst, Department of Justice, Office of the Attorney General, Sacramento, dated January 20, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Worker's Compensation. Benefit and Eligibility Restrictions.
Initiative Statute. SA 2003RF0058**

Referred by the Speaker to the Committee on Insurance.

**Right to Keep and Bear Arms.
Initiative Constitutional Amendment. SA 2003RF0061**

Referred by the Speaker to the Committee on Public Safety.

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated December 23, 2003, transmitting copies of the title, summary, and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Traffic Violations in School Zones. Increased Fines.
School Safety Programs.
Initiative Statute. SA 2003RF0052**

Referred by the Speaker to the Committee on Transportation.

REPORTS

The following reports were presented by the Chief Clerk:

**Enforcement of Commercial Vehicle Registration Act Report
(Pursuant to Senate Bill 2084, Chapter 861, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated January 12, 2004, referred by the Speaker to the Committee on Transportation.

**Pest Prevention Funding Alternatives
(Pursuant to Supplemental Report to the 2003 Budget Act
Item 8570-002-0001)**

Above transmitted report, together with letter of transmittal from John Moffatt, Assistant Legislative Director, Department of Food and Agriculture, dated January 15, 2004, referred by the Speaker to the Committee on Budget.

**A Comprehensive
Groundwater Quality Monitoring Program for California
(Pursuant to Assembly Bill 599, Chapter 522, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated January 15, 2004, referred by the Speaker to the Committee on Water, Parks, and Wildlife.

**Effects of the Implementation of Proposition 227 on
the Education of English Learners, K-12 Year 3 Report
(Pursuant to Assembly Bill 56, Chapter 1009, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated January 9, 2004, referred by the Speaker to the Committee on Education.

**Annual Race, Ethnicity and Gender Report
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Robert L. Therkelsen, Executive Director, California Energy Commission, dated December 29, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**The California Teleconnect Fund
(Pursuant to Supplemental Report to the 2003 Budget Act
Item 8660-001-0462)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated January 12, 2004, referred by the Speaker to the Committee on Budget.

**Budget and Staffing Report on Office of Ratepayer Advocates
(Pursuant to Public Utilities Code Section 309.5(g))**

Above transmitted report, together with letter of transmittal from William R. Ahern, Executive Director, Public Utilities Commission, dated December 13, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Certified Disabled Veteran Business Enterprise (DVBE) and
Small Business Contracting Activity Reports from:**

California Public Employee's Retirement System (CalPERS), Fred Buenrostro, Chief Executive Officer, dated December 18, 2003;

California Public Utilities Commission, Robert Smith, SSMI, dated December 15, 2003;

Department of Toxic Substances Control, Gary Pender-Bey, Purchasing Officer, dated December 31, 2003;

California Health and Human Services Agency Data Center, John Moise, Director, dated January 6, 2004;

Colorado River Board of California, Lori Jones, Office Technician, dated January 7, 2004;

Department of Housing and Community Development, Matthew O. Franklin, Director, dated January 14, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

**Non-profit Raffle Program Report
(Pursuant to Penal Code Section 320.5 (k))**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated December 30, 2003, referred by the Speaker to the Committee on Public Safety.

**Transmittal of 2004–05 Budget for Railroad Corporation Safety
(Pursuant to Public Utilities Code Sections 421)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated January 12, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Enforcement Activities of
the Regional Water Quality Control Boards—2002
(Pursuant to Water Code Section 13385 (o))**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated January 16, 2004, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Delta Protection Commission Report
(Pursuant to Supplemental Report of the Budget Act 2003)**

Above transmitted report, together with letter of transmittal from Mike Chrisman, Secretary, Resources Agency, dated January 5, 2004, referred by the Speaker to the Committee on Budget.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 26, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 56	Assembly Bill No. 672
Assembly Bill No. 124	Assembly Bill No. 750
Assembly Bill No. 152	Assembly Bill No. 848
Assembly Bill No. 204	Assembly Bill No. 868
Assembly Bill No. 242	Assembly Bill No. 1175
Assembly Bill No. 321	Assembly Bill No. 1224
Assembly Bill No. 338	Assembly Bill No. 1466
Assembly Bill No. 392	Assembly Bill No. 1510
Assembly Bill No. 537	Assembly Bill No. 1550
Assembly Bill No. 614	Assembly Bill No. 1699

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, January 26, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 911	Assembly Bill No. 1240
Assembly Bill No. 1073	Assembly Bill No. 1454

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

Assembly Chamber, January 26, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 153

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, January 23, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 323

And reports the same correctly enrolled; and presented to the Governor on the 23rd day of January, 2004; at 4 p.m.

E. DOTSON WILSON, Chief Clerk

(NOTE: On February 2, 2004, the action was rescinded whereby Assembly Bill No. 323 was reported correctly enrolled and presented to the Governor. See page 4432.)

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1841—Chan (Principal coauthor: Hancock). An act to add Sections 52055.56 and 52055.658 to the Education Code, relating to high schools.

ASSEMBLY BILL NO. 1842—Calderon. An act to amend Section 172 of the Penal Code, relating to the Fred C. Nelles School for Boys.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 165—Jerome Horton. Relative to Black History Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 166—Nation. Relative to the Day of the Horse.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolutions were referred to committee:

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
163 -----	Trans.
164 -----	Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
59 -----	L. Gov.

**AUTHOR’S AMENDMENTS
Committee on Rules**

January 26, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 104

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

COGDILL, Vice Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 104—Relative to Day of the Teacher.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS
Committee on Rules**

January 26, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:
Assembly Concurrent Resolution No. 164

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

COGDILL, Vice Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 164—Relative to Ronald Reagan Day.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: January 26, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 161

House Resolution No. 39

With the recommendation: Be adopted.

COGDILL, Vice Chair

Above resolutions ordered to third reading.

CAUCUS ANNOUNCEMENTS

At 12:17 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 12:17 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 1:24 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

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:

Assembly Bill No. 129, on request of Assembly Member Cohn.

BILLS RETURNED TO UNFINISHED BUSINESS FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the unfinished business file:

Assembly Bill No. 539, on request of Assembly Member Laird.

BILLS RETURNED TO THIRD READING FILE

Assembly Member Dutra was granted unanimous consent that Assembly Bill No. 640 be withdrawn from the inactive file and placed upon the third reading file.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Lieber was granted unanimous consent that the Governor's veto of Assembly Bill No. 1093 be stricken from file.

ACTION RESCINDED ON ASSEMBLY BILL NO. 700

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby on January 22, 2004 (Assembly Journal, page 4333), the Report of the Committee on Appropriations relative to Assembly Bill No. 700, was received and read in the Assembly, and whereby the bill was read a second time and ordered to third reading (Assembly Journal, page 4335).

REPORTS OF STANDING COMMITTEES
Committee on Appropriations

Date of Hearing: January 21, 2004

Mr. Speaker: Your Committee on Appropriations reports:
Assembly Bill No. 700

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

STEINBERG, Chair

Above bill ordered to second reading.

Second Reading of Assembly Bill No. 700 by Unanimous Consent

ASSEMBLY BILL NO. 700—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to the Consent Calendar.

CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 537, ordered to third reading.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 269—An act to add Section 33334.2.2 to the Health and Safety Code, relating to redevelopment.

Bill read second time, and ordered to third reading.

ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 124, 152, 204, 242, 321, 392, 750, 848, 1175, 56, 1510, 1550, 1699, 672, 868, 1466, 338, 614, and 1224, ordered to third reading.

UNFINISHED BUSINESS
MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Assembly Bills Nos. 100 and 1740; and Senate Bills Nos. 1005, 131, and 407 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 854 (Koretz)—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read third time.

Motion to Amend

Assembly Member Koretz moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 649 (Wiggins)—An act relating to developmental disabilities.

Bill read third time, and passed by the following vote:

AYES—57

Bates	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Matthews	Salinas
Canciamilla	Harman	Maze	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wiggins
Cohn	Jackson	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Suer	Nunez	Yee
Diaz	Laird	Oropeza	Mr. Speaker
Dutra	Leno	Parra	
Dymally	Levine	Pavley	
Firebaugh	Lieber	Plescía	

NOES—9

Benoit	Cogdill	La Malfa
Bogh	Haynes	Leslie
Campbell	Keene	Samuelian

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 858 (Goldberg)—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

Rules Temporarily Suspended

Assembly Member Goldberg was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Assembly Bill No. 858.

Bill read third time.

Motion to Amend

Assembly Member Goldberg moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 57 (Bates)—An act to amend Section 11055 of the Health and Safety Code, relating to controlled substances.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dutra	Lieber	Pavley
Bates	Dutton	Liu	Plescia
Benoit	Dymally	Longville	Reyes
Berg	Firebaugh	Lowenthal	Richman
Bermudez	Frommer	Maddox	Ridley-Thomas
Bogh	Garcia	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Negrete McLeod	Wolk
Correa	La Suer	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leslie	Pacheco	Mr. Speaker
Diaz	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 252 (Jackson)—An act to amend Section 7634 of, to add Section 7635.5 to, and to add Article 1.5 (commencing with Section 7645) to Chapter 4 of Part 3 of Division 12 of, the Family Code, relating to paternity.

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.

ASSEMBLY BILL NO. 1706 (Committee on Judiciary)—An act to amend Section 1162 of the Code of Civil Procedure, relating to unlawful detainer.

Bill read third time, presented by Assembly Member Corbett, and passed by the following vote:

AYES—67

Aghazarian	Dutra	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Garcia	Lowenthal	Runner
Bogh	Goldberg	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Canciamilla	Harman	Maze	Simitian
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mullin	Strickland
Chu	Houston	Nakanishi	Vargas
Cohn	Jackson	Nakano	Wiggins
Corbett	Keene	Negrete McLeod	Wolk
Correa	Koretz	Oropeza	Wyland
Cox	Laird	Pacheco	Yee
Daucher	Leno	Parra	Mr. Speaker
Diaz	Leslie	Pavley	

NOES—8

Campbell	Haynes	Maddox	Mountjoy
Dutton	La Malfa	McCarthy	Spitzer

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 406 (Jackson)—An act to amend Sections 21082.1, 21089, and 21160 of, and to add Section 21099 to, the Public Resources Code, relating to environmental quality.

Bill read third time.

Motion to Amend

Assembly Member Jackson moved the adoption of amendments.
Amendments read.

Roll Call Demanded

Assembly Members Haynes, Cogdill, and Benoit, demanded a roll call.

The roll was called, and the Jackson amendments adopted by the following vote:

AYES—42

Berg	Dymally	Lieber	Ridley-Thomas
Bermudez	Firebaugh	Liu	Salinas
Calderon	Frommer	Longville	Simitian
Canciamilla	Goldberg	Lowenthal	Steinberg
Chan	Hancock	Montanez	Vargas
Chavez	Horton, Jerome	Mullin	Wiggins
Chu	Jackson	Negrete McLeod	Wolk
Corbett	Koretz	Nunez	Yee
Correa	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pavley	
Dutra	Levine	Reyes	

NOES—30

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Runner
Benoit	Harman	Maddox	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Cogdill	Houston	Mountjoy	Wyland
Cox	Keene	Nakanishi	
Daucher	La Malfa	Pacheco	

Bill ordered reprinted, and to be returned to the third reading file.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 992, on request of Assembly Member Ridley-Thomas.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 320 (Correa)—An act to add Section 143.5 to the Business and Professions Code, relating to professions and vocations.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Canciamilla	Harman	Matthews	Salinas
Chan	Haynes	Maze	Samuelian
Chavez	Horton, Jerome	McCarthy	Simitian
Chu	Horton, Shirley	Montanez	Spitzer
Cogdill	Houston	Mountjoy	Steinberg
Cohn	Jackson	Mullin	Strickland
Corbett	Keene	Nakanishi	Vargas
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 379 (Mullin)—An act to amend Section 8208 of, and to add Article 8.5 (commencing with Section 8245) to Chapter 2 of Part 6 of, the Education Code, relating to child development.

Bill read third time, and passed by the following vote:

AYES—65

Aghazarian	Dymally	Longville	Richman
Bates	Firebaugh	Lowenthal	Ridley-Thomas
Benoit	Frommer	Maddox	Runner
Berg	Garcia	Maldonado	Salinas
Bermudez	Goldberg	Matthews	Samuelian
Bogh	Hancock	McCarthy	Simitian
Calderon	Harman	Montanez	Spitzer
Canciamilla	Horton, Jerome	Mullin	Steinberg
Chan	Horton, Shirley	Nakanishi	Vargas
Chavez	Jackson	Nakano	Wiggins
Chu	Keene	Negrete McLeod	Wolk
Cohn	Koretz	Nunez	Wyland
Corbett	Laird	Oropeza	Yee
Correa	Leno	Parra	Mr. Speaker
Daucher	Levine	Pavley	
Diaz	Lieber	Plescia	
Dutra	Liu	Reyes	

NOES—13

Campbell	Haynes	Leslie	Strickland
Cogdill	Houston	Maze	
Cox	La Malfa	Mountjoy	
Dutton	La Suer	Pacheco	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 384 (Leslie)—An act to amend Sections 308, 2762, 3326, and 5005 of, and to add Section 5030 to, the Penal Code, and to amend Section 1752.5 of, and to add Section 1712.5 to, the Welfare and Institutions Code, relating to tobacco products.

Bill read third time, and passed by the following vote:

AYES—66

Aghazarian	Dutra	Levine	Pavley
Bates	Dutton	Lieber	Plescia
Benoit	Dymally	Liu	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Simitian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wolk
Corbett	Koretz	Nakanishi	Wyland
Correa	La Malfa	Nakano	Yee
Cox	La Suer	Oropeza	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leslie	Parra	

NOES—4

Berg	Canciamilla	Goldberg	Leno
------	-------------	----------	------

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 389 (Montanez)—An act to add Chapter 6.10.1 (commencing with Section 25403) to Division 20 of the Health and Safety Code, relating to hazardous substances.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mountjoy	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 477 (Haynes)—An act to amend Section 5060 of the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—53

Aghazarian	Dutra	Maddox	Salinas
Bates	Dutton	Maldonado	Samuelian
Benoit	Garcia	Matthews	Simitian
Berg	Harman	Maze	Spitzer
Bermudez	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Montanez	Vargas
Canciamilla	Houston	Mountjoy	Wiggins
Chavez	Keene	Nakanishi	Wolk
Chu	La Malfa	Oropeza	Wyland
Cogdill	La Suer	Pacheco	Yee
Cohn	Leslie	Parra	Mr. Speaker
Correa	Levine	Plescia	
Cox	Liu	Reyes	
Daucher	Longville	Runner	

NOES—11

Corbett	Goldberg	Koretz	Lieber
Diaz	Hancock	Laird	Lowenthal
Dymally	Jackson	Leno	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 664 (Correa)—An act to amend Section 10115.5 of the Public Contract Code, relating to public contracts.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Calderon	Harman	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	Koretz	Nakanishi	Vargas
Corbett	La Malfa	Nakano	Wiggins
Correa	La Suer	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Diaz	Leslie	Pacheco	Mr. Speaker
Dutra	Levine	Parra	

NOES—1

Haynes

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 775 (Parra)—An act to amend Sections 2331, 2333, and 2333.5 of the Streets and Highways Code, relating to transportation.

Bill read third time, and passed by the following vote:

AYES—54

Bates	Firebaugh	Longville	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	Maldonado	Salinas
Calderon	Goldberg	Matthews	Simitian
Canciamilla	Hancock	Montanez	Spitzer
Chan	Horton, Jerome	Mullin	Steinberg
Chavez	Horton, Shirley	Nakano	Vargas
Chu	Jackson	Negrete McLeod	Wiggins
Cohn	Koretz	Nunez	Wolk
Corbett	Laird	Oropeza	Wyland
Correa	Leno	Parra	Yee
Diaz	Levine	Pavley	Mr. Speaker
Dutra	Lieber	Plescia	
Dymally	Liu	Reyes	

NOES—22

Aghazarian	Daucher	La Suer	Nakanishi
Benoit	Dutton	Leslie	Runner
Bogh	Harman	Maddox	Samuelian
Campbell	Haynes	Maze	Strickland
Cogdill	Keene	McCarthy	
Cox	La Malfa	Mountjoy	

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 775: Assembly Members Plescia and Wyland, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 932 (Koretz)—An act to amend Sections 2472 and 2484 of, and to repeal and add Section 2493 of, the Business and Professions Code, relating to podiatric medicine.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mountjoy	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1091 (Negrete McLeod)—An act to amend Section 120130 of the Health and Safety Code, relating to disease prevention.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Liu	Reyes
Berg	Frommer	Longville	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Goldberg	Maddox	Runner
Calderon	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Samuelian
Canciamilla	Haynes	Maze	Simitian
Chan	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mountjoy	Strickland
Cogdill	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1260 (Matthews)—An act to amend Sections 19720 and 19721 of the Revenue and Taxation Code, relating to taxation.

Bill read third time, and passed by the following vote:

AYES—75

Aghazarian	Dutra	Leslie	Pavley
Bates	Dutton	Levine	Plescia
Benoit	Dymally	Lieber	Reyes
Berg	Firebaugh	Liu	Richman
Bermudez	Frommer	Longville	Ridley-Thomas
Bogh	Garcia	Lowenthal	Runner
Calderon	Goldberg	Maddox	Salinas
Campbell	Harman	Maldonado	Samuelian
Canciamilla	Haynes	Matthews	Simitian
Chan	Horton, Jerome	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wiggins
Corbett	Koretz	Nakanishi	Wolk
Correa	La Malfa	Nakano	Wyland
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Pacheco	Mr. Speaker
Diaz	Leno	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1272 (Dutra)—An act to add Section 11713.17 to the Vehicle Code, relating to vehicles.

Bill read third time, and passed by the following vote:

AYES—53

Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Longville	Ridley-Thomas
Bermudez	Garcia	Lowenthal	Salinas
Calderon	Goldberg	Maddox	Simitian
Canciamilla	Hancock	Maldonado	Steinberg
Chan	Horton, Jerome	Matthews	Vargas
Chavez	Horton, Shirley	Montanez	Wiggins
Chu	Houston	Mullin	Wolk
Cohn	Jackson	Nakano	Wyland
Corbett	Koretz	Negrete McLeod	Yee
Correa	Laird	Nunez	Mr. Speaker
Diaz	Leno	Parra	
Dutra	Levine	Pavley	
Dymally	Lieber	Reyes	

NOES—23

Aghazarian	Dutton	Leslie	Plescia
Bates	Harman	Maze	Runner
Bogh	Haynes	McCarthy	Samuelian
Campbell	Keene	Mountjoy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Daucher	La Suer	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1272: Assembly Member Plescia, from "Aye" to "No".

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1432 (Firebaugh)—An act to amend Sections 656 and 793 of, and to add Sections 656.5 and 793.5 to, the Penal Code, relating to former jeopardy.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	Diaz	Leslie	Parra
Bates	Dutra	Levine	Pavley
Benoit	Dutton	Lieber	Plescia
Berg	Dymally	Liu	Reyes
Bermudez	Firebaugh	Longville	Richman
Bogh	Frommer	Lowenthal	Ridley-Thomas
Calderon	Garcia	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Haynes	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Keene	Mullin	Vargas
Cohn	Koretz	Nakanishi	Wiggins
Corbett	La Malfa	Nakano	Wolk
Correa	La Suer	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leno	Pacheco	Mr. Speaker

NOES—2

Goldberg Simitian

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1643 (Ridley-Thomas)—An act to add Section 2750.7 to the Labor Code, relating to employment.

Bill read third time, and passed by the following vote:

AYES—51

Bates	Dymally	Lieber	Pavley
Berg	Frommer	Liu	Reyes
Bermudez	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Chan	Horton, Jerome	Maldonado	Simitian
Chavez	Horton, Shirley	Matthews	Steinberg
Chu	Houston	Montanez	Vargas
Cohn	Jackson	Mullin	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	Laird	Negrete McLeod	Wyland
Daucher	Leno	Nunez	Yee
Diaz	Leslie	Oropeza	Mr. Speaker
Dutra	Levine	Parra	

NOES—24

Aghazarian	Dutton	La Suer	Pacheco
Benoit	Garcia	Maddox	Plescia
Bogh	Harman	Maze	Runner
Campbell	Haynes	McCarthy	Samuelian
Cogdill	Keene	Mountjoy	Spitzer
Cox	La Malfa	Nakanishi	Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1650 (Simitian)—An act to amend Sections 406, 44279.2, 44305, 44308, 44383, 44386, 44393, 44395, 44396, 44401, 44402, 44403, 44404, 44503, 44507, 44579.1, 44731, 52272, 99200, 99220, 99221, 99222, 99223, 99224, 99225, 99226, 99232, 99234, 99236, and 99237 of, to add Chapter 3.8 (commencing with Section 44790) to Part 25 of, and to repeal Sections 44279.7, 44384, 44505, 44506, 44579.2, 44579.4, 44579.5, 44730, 99203, 99227, 99234.5, and 99235 of, the Education Code, relating to teacher development.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dutra	Lieber	Plescia
Bates	Dutton	Liu	Reyes
Benoit	Dymally	Longville	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	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	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Negrete McLeod	Wyland
Correa	Laird	Oropeza	Yee
Cox	Leno	Pacheco	Mr. Speaker
Daucher	Leslie	Parra	
Diaz	Levine	Pavley	

NOES—1

Haynes

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1655 (Negrete McLeod)—An act to add Sections 1798.210, 1798.211, and 1799.112 to the Health and Safety Code, relating to emergency medical services.

Bill read third time, and passed by the following vote:

AYES—72

Aghazarian	Dutra	Leslie	Parra
Bates	Dutton	Levine	Pavley
Benoit	Dymally	Lieber	Plescia
Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Bogh	Garcia	Lowenthal	Runner
Calderon	Goldberg	Maldonado	Salinas
Canciamilla	Hancock	Matthews	Samuelian
Chan	Harman	Maze	Simitian
Chavez	Horton, Jerome	McCarthy	Spitzer
Chu	Horton, Shirley	Montanez	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Cox	La Malfa	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker

NOES—4

Campbell	Haynes	La Suer	Mountjoy
----------	--------	---------	----------

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1663 (Dutra)—An act to amend Section 9250.14 of the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—69

Aghazarian	Dutra	Liu	Richman
Bates	Dutton	Longville	Ridley-Thomas
Benoit	Dymally	Lowenthal	Runner
Berg	Firebaugh	Maldonado	Salinas
Bermudez	Frommer	Matthews	Samuelian
Bogh	Garcia	Maze	Simitian
Calderon	Goldberg	McCarthy	Spitzer
Canciamilla	Hancock	Montanez	Steinberg
Chan	Harman	Mullin	Strickland
Chavez	Horton, Shirley	Nakanishi	Vargas
Chu	Houston	Nakano	Wiggins
Cogdill	Jackson	Negrete McLeod	Wolk
Cohn	Koretz	Nunez	Wyland
Corbett	Laird	Pacheco	Yee
Correa	Leno	Parra	Mr. Speaker
Cox	Leslie	Pavley	
Daucher	Levine	Plescia	
Diaz	Lieber	Reyes	

NOES—6

Haynes	La Malfa	Maddox
Keene	La Suer	Mountjoy

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1663: Assembly Member Pacheco, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1694 (Wiggins)—An act to add Section 160 to the Penal Code, relating to bail services.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dutra	Lieber	Plescia
Bates	Dutton	Liu	Reyes
Benoit	Dymally	Longville	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	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	Koretz	Nakanishi	Wiggins
Cohn	La Malfa	Nakano	Wolk
Corbett	La Suer	Negrete McLeod	Wyland
Correa	Laird	Nunez	Yee
Cox	Leno	Pacheco	Mr. Speaker
Daucher	Leslie	Parra	
Diaz	Levine	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1726 (Committee on Agriculture)—An act to amend Section 47021 of the Food and Agricultural Code, relating to agriculture.

Bill read third time, presented by Assembly Member Matthews, and passed by the following vote:

AYES—73

Aghazarian	Dutra	Liu	Plescia
Bates	Dutton	Longville	Reyes
Benoit	Dymally	Lowenthal	Richman
Berg	Frommer	Maddox	Runner
Bermudez	Garcia	Maldonado	Salinas
Bogh	Goldberg	Matthews	Samuelian
Calderon	Harman	Maze	Simitian
Campbell	Horton, Jerome	McCarthy	Spitzer
Canciamilla	Horton, Shirley	Montanez	Steinberg
Chan	Houston	Mountjoy	Strickland
Chavez	Jackson	Mullin	Vargas
Chu	Keene	Nakanishi	Wiggins
Cogdill	Koretz	Nakano	Wolk
Cohn	La Malfa	Negrete McLeod	Wyland
Corbett	Laird	Nunez	Yee
Correa	Leno	Oropeza	Mr. Speaker
Cox	Leslie	Pacheco	
Daucher	Levine	Parra	
Diaz	Lieber	Pavley	

NOES—2

Haynes La Suer

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1784 (Wolk)—An act to amend Section 86205 of, and to add Sections 86119 and 89518.5 to, the Government Code, relating to the Political Reform Act of 1974, 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—71

Aghazarian	Firebaugh	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Lowenthal	Reyes
Berg	Hancock	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Campbell	Haynes	Matthews	Runner
Canciamilla	Horton, Jerome	Maze	Salinas
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mountjoy	Steinberg
Cohn	Keene	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker
Dutton	Levine	Parra	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aghazarian	Firebaugh	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Benoit	Garcia	Lowenthal	Reyes
Berg	Hancock	Maddox	Richman
Bogh	Harman	Maldonado	Ridley-Thomas
Campbell	Haynes	Matthews	Runner
Canciamilla	Horton, Jerome	Maze	Salinas
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mountjoy	Steinberg
Cohn	Keene	Mullin	Strickland
Corbett	Koretz	Nakanishi	Vargas
Correa	La Malfa	Nakano	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Daucher	Laird	Nunez	Wyland
Diaz	Leno	Oropeza	Yee
Dutra	Leslie	Pacheco	Mr. Speaker
Dutton	Levine	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1785 (Frommer)—An act to amend Section 86205 of, and to add Section 86119 to, the Government Code, relating to the Political Reform Act of 1974.

At 3:15 p.m., Hon. Sara Reyes, 31st District, presiding

Bill read third time, and passed by the following vote:

AYES—71

Aghazarian	Firebaugh	Lieber	Plescia
Bates	Frommer	Liu	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Hancock	Maddox	Ridley-Thomas
Bogh	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
Cohn	Keene	Nakanishi	Strickland
Corbett	Koretz	Nakano	Vargas
Correa	La Malfa	Negrete McLeod	Wiggins
Cox	La Suer	Nunez	Wolk
Daucher	Laird	Oropeza	Wyland
Diaz	Leno	Pacheco	Yee
Dutra	Leslie	Parra	Mr. Speaker
Dutton	Levine	Pavley	

NOES—None

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1785: Assembly Member Dymally from “Aye” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 624 (Lieber)—An act to amend Sections 798.58 and 798.74 of the Civil Code, relating to mobilehomes.

Rules Temporarily Suspended

Assembly Member Lieber was granted unanimous consent that Assembly Rule 69 (b) be suspended to permit consideration of proposed amendments to Assembly Bill No. 624.

Bill read third time.

Motion to Amend

Assembly Member Lieber moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ASSEMBLY BILL NO. 454 (Yee)—An act to add and repeal Division 9 (commencing with Section 9000) of the Harbors and Navigation Code, relating to harbors and ports.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	Dutra	Leslie	Parra
Bates	Dutton	Levine	Pavley
Benoit	Dymally	Lieber	Plescia
Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Richman
Bogh	Garcia	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Haynes	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Simitian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mullin	Strickland
Cohn	Keene	Nakanishi	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Cox	La Suer	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

At 3:21 p.m., Assistant Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ASSEMBLY BILL NO. 1707 (Committee on Judiciary)—An act to amend Section 54.3 of the Civil Code, relating to civil rights.

Bill read third time.

Motion to Amend by Assembly Member Leslie—Set 1

Assembly Member Leslie moved the adoption of amendments.

Amendments read.

Motion to Table Leslie Amendments to Assembly Bill No. 1707—Set 1

Assembly Member Firebaugh moved that the amendments offered by Assembly Member Leslie to Assembly Bill No. 1707—Set 1 be laid upon the table.

Assembly Member Nakano seconded the motion.

Motion carried by the following vote:

AYES—42

Berg	Firebaugh	Longville	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Calderon	Goldberg	Matthews	Simitian
Canciamilla	Hancock	Montanez	Steinberg
Chan	Jackson	Mullin	Vargas
Chavez	Koretz	Nakano	Wiggins
Chu	Laird	Negrete McLeod	Wolk
Cohn	Leno	Nunez	Yee
Corbett	Levine	Oropeza	Mr. Speaker
Dutra	Lieber	Parra	
Dymally	Liu	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

Further Consideration of Assembly Bill No. 1707

Point of Order

Assembly Member Firebaugh arose to the following point of order:

Debate has not been confined to the merits of Assembly Bill No. 1707.

Ruling by Assistant Speaker pro Tempore Yee

The Assistant Speaker pro Tempore ruled the point of order well-taken.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—42

Berg	Firebaugh	Longville	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Salinas
Calderon	Goldberg	Montanez	Simitian
Chan	Hancock	Mullin	Steinberg
Chavez	Jackson	Nakano	Vargas
Chu	Koretz	Negrete McLeod	Wiggins
Cohn	Laird	Nunez	Wolk
Corbett	Leno	Oropeza	Yee
Diaz	Levine	Parra	Mr. Speaker
Dutra	Lieber	Pavley	
Dymally	Liu	Reyes	

NOES—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	

Bill ordered transmitted to the Senate.

CAUCUS ANNOUNCEMENTS

At 4:08 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 4:08 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 8:16 p.m., the Assembly reconvened.
Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

Senate Chamber, January 26, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 58
Senate Bill No. 74
Senate Bill No. 115
Senate Bill No. 391
Senate Bill No. 449
Senate Bill No. 466
Senate Bill No. 512
Senate Bill No. 537

Senate Bill No. 557
Senate Bill No. 559
Senate Bill No. 703
Senate Bill No. 706
Senate Bill No. 744
Senate Bill No. 815
Senate Bill No. 904
Senate Bill No. 1086

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 58—An act to add Section 964 to the Penal Code, relating to police reports.

SENATE BILL NO. 74—An act to add Section 11005.4 to the Government Code, relating to state property.

SENATE BILL NO. 115—An act to add Section 1947.3 to the Civil Code, relating to landlord and tenant.

SENATE BILL NO. 391—An act to amend Section 12654 of the Government Code, relating to state actions.

SENATE BILL NO. 449—An act to amend Section 6256 of the Family Code, relating to emergency protective orders.

SENATE BILL NO. 466—An act to amend Section 379 of the Code of Civil Procedure, relating to permissive joinder.

SENATE BILL NO. 512—An act to amend Section 7655 of the Fish and Game Code, and to amend Section 36710 of the Public Resources Code, relating to marine resources.

SENATE BILL NO. 537—An act relating to solid waste.

SENATE BILL NO. 557—An act relating to forest practices.

SENATE BILL NO. 559—An act to add Chapter 6.86 (commencing with Section 25399.10) to Division 20 of the Health and Safety Code, relating to hazardous materials.

SENATE BILL NO. 703—An act relating to public utilities.

SENATE BILL NO. 706—An act to add Section 41814 to the Health and Safety Code, relating to air pollution.

SENATE BILL NO. 744—An act to add Section 65585.4 to the Government Code, relating to planning.

SENATE BILL NO. 815—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 904—An act to amend Sections 5093.52, 5093.55, 5093.56, 5093.61, and 5093.68 of the Public Resources Code, relating to wild and scenic rivers.

SENATE BILL NO. 1086—An act to amend Section 1091 of the Government Code, relating to conflicts of interest, and declaring the urgency thereof, to take effect immediately.

January 26, 2004

Hon. E. Dotson Wilson
Chief Clerk of the Assembly
Assembly Chamber

Dear Dotson: By direction of the Senate I am returning Senate Bill No. 623 to the Assembly for further action.

Sincerely,

GREGORY P. SCHMIDT
Secretary of the Senate

Above bill held at the Desk.

CAUCUS ANNOUNCEMENTS

At 8:23 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 8:23 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

ANNOUNCEMENTS

Assembly Member Firebaugh announced that with the consent of the Republican leadership, motions to adjourn in memory would be permitted while the Republican Caucus is meeting.

RECONVENED

At 8:45 p.m., the Assembly reconvened.

Hon. Leland Y. Lee, Assistant Speaker pro Tempore of the Assembly, presiding.

ADJOURN IN MEMORY

Assembly Members Firebaugh, Reyes, Nunez, Goldberg, and Oropeza were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Chavez.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tasker Edmiston, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Ruth M. Vreeland, of Monterey.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Therese Thau Heyman, of Berkeley.

(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 Roy G. Mikalson, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:20 p.m., Assistant Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 9:46 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Correa was granted unanimous consent that the Governor's veto of Assembly Bill No. 968 be stricken from file.

CONSIDERATION OF DAILY FILE (RESUMED)**THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 488 (Parra)—An act to amend Section 290 of, to amend, repeal, and add Section 290.4 of, to add Section 290.45 to, and to add and repeal Section 290.41 of, the Penal Code, relating to sex offenders.

Amendments Withdrawn

Assistant Speaker pro Tempore Yee announced that proposed amendments, Sets 1–5, have been withdrawn.

Rules Temporarily Suspended

Assembly Member Steinberg was granted unanimous consent that Assembly Rule 69(b) be suspended to permit consideration of proposed amendments to Assembly Bill No. 488—Set 6.

Motion to Amend

Assembly Member Steinberg moved the adoption of amendments, Set 6.

Amendments read and adopted; bill ordered reprinted.

Rules Temporarily Suspended

Assembly Member Parra was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Assembly Bill No. 488, as amended, without reference to file.

ASSEMBLY BILL NO. 488 (Parra)—An act to amend Section 290.4 of, and to add and repeal Section 290.41 of, the Penal Code, relating to sex offenders.

Bill read third time, and passed by the following vote:

AYES—73

Aghazarian	Dutra	Lieber	Pavley
Bates	Dutton	Liu	Plescia
Benoit	Dymally	Longville	Reyes
Berg	Firebaugh	Lowenthal	Ridley-Thomas
Bermudez	Frommer	Maddox	Runner
Bogh	Garcia	Maldonado	Salinas
Calderon	Harman	Matthews	Samuelian
Campbell	Haynes	Maze	Simitian
Canciamilla	Horton, Jerome	McCarthy	Spitzer
Chan	Horton, Shirley	Montanez	Steinberg
Chavez	Houston	Mountjoy	Vargas
Chu	Jackson	Mullin	Wiggins
Cogdill	Keene	Nakanishi	Wolk
Cohn	Koretz	Nakano	Wyland
Corbett	La Malfa	Negrete McLeod	Yee
Correa	La Suer	Nunez	Mr. Speaker
Cox	Laird	Oropeza	
Daucher	Leslie	Pacheco	
Diaz	Levine	Parra	

NOES—2

Goldberg Hancock

Bill ordered transmitted to the Senate.

ADJOURN IN MEMORY

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herb Leib, of Clayton.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Mullan and Yvette Salvail, of San Ramon.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Loretta Pins Freeman, of North Hollywood.

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 Daniel Hennessy, of Long Beach.

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. 649: Shirley Horton, Houston, Mountjoy, and Plescia—Aye.

Assembly Bill No. 57: Houston, Maddox, and Mountjoy—Aye.

Assembly Bill No. 1706: Bates, Benoit, Bogh, Chan, Houston, Maze, Plescia, Runner, and Wyland—Aye; La Malfa, Maddox, McCarthy, Mountjoy, and Spitzer—No.

Assembly Bill No. 406, Jackson Amendments: Vargas—Aye; Houston, Maddox, and Mountjoy—No.

Assembly Bill No. 320: Houston, Maddox, and Runner—Aye.

Assembly Bill No. 379: Daucher, Harman, and Maddox—Aye; Houston—No.

Assembly Bill No. 384: Houston and Pacheco—Aye.

Assembly Bill No. 389: Bogh, Canciamilla, Houston, Negrete McLeod, Pavley, and Spitzer—Aye.

Assembly Bill No. 477: Daucher, Houston, Maldonado, and Simitian—Aye; Diaz, Goldberg, and Hancock—No.

Assembly Bill No. 664: Goldberg, Houston, and Maldonado—Aye.

Assembly Bill No. 775: Goldberg, Shirley Horton, and Spitzer—Aye; Bogh, Daucher, Dutton, Harman, Maze, Nakanishi, and Samuelian—No.

Assembly Bill No. 932: Bogh, Goldberg, and Houston—Aye.

Assembly Bill No. 1091: Bogh and Houston—Aye.

Assembly Bill No. 1260: Bogh, Chan, Harman, Houston, and Maze—Aye.

Assembly Bill No. 1272: Goldberg, Shirley Horton, and Houston—Aye; Daucher and Runner—No.

Assembly Bill No. 1432: Houston—Aye; Goldberg—No.

Assembly Bill No. 1643: Houston, Mullin, Nakano, and Steinberg—Aye.

Assembly Bill No. 1650: Chan, Houston, La Malfa, Liu, Nakano, and Pacheco—Aye; Haynes—No.

Assembly Bill No. 1655: Daucher, Jerome Horton, Houston, Leslie, and Plescia—Aye.

Assembly Bill No. 1663: Diaz, Dymally, Goldberg, Houston, Lieber, and Simitian—Aye.

Assembly Bill No. 1694: Lieber, Nakano, Samuelian, and Simitian—Aye.

Assembly Bill No. 1726: Daucher, Goldberg, Harman, Maze, Nakano, Pacheco, Simitian, and Wiggins—Aye.

Assembly Bill No. 1784 and Urgency: Cox, Dutton, Haynes, Houston, La Malfa, La Suer, Leno, Leslie, McCarthy, Nakanishi, Pacheco, Runner, and Spitzer—Aye.

Assembly Bill No. 1785: Haynes, Houston, La Malfa, Leslie, Maddox, Pacheco, Plescia, and Spitzer—Aye.

Assembly Bill No. 454: Haynes, Maddox, and Spitzer—Aye.

Assembly Bill No. 1707, Firebaugh Motion to Table Leslie Amendments: Frommer—Aye.

Assembly Bill No. 1707: Correa and Haynes—No.

Assembly Bill No. 488: Liu—Aye.

MOTION TO ADJOURN

At 10:07 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Nakano seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Mountjoy 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.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:08 p.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Assembly Member Reyes, of the 31st Assembly District, introduced former Assembly Member Tony Cardenas.

ADJOURNMENT

At 10:08 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 9 a.m., Thursday, January 29, 2004, out of respect to the memory of Bill Chavez, on motion of Assembly Members Firebaugh, Reyes, Nunez, Goldberg, and Oropeza; out of respect to the memory of Ruth M. Vreeland, on motion of Assembly Member Laird; out of respect to the memory of Tasker Edmiston, on motion of Assembly Member Goldberg; out of respect to the memory of Therese Thau Heyman, on motion of Assembly Member Hancock; out of respect to the memory of Loretta Pins Freeman, on motion of Assembly Member Leslie; out of respect to the memory of Daniel Hennessy, on motion of Assembly Member Lowenthal; out of respect to the memory of Roy G. Mikalson, on motion of Assembly Member Wiggins; out of respect to the memory of Herb Leib, on motion of Assembly Member Koretz; and out of respect to the memory of Michael Mullan and Yvette Salvail, on motion of Assembly Member Houston.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 26, 2004**

The following measures were amended in the Assembly on this day:

AB RN

252 0400898

406 0322141

488 0405347

624 0401311

854 0401847

858 0402189

ACR RN

104 0401390

164 0405322

Daily Total: 8**Cumulative Total: 3154**

Amendments were considered by the Assembly, but not adopted, to the following measure:

AB

1707 (Leslie amendments, RN0401201, laid upon the table)

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, January 29, 2004

**ONE HUNDRED FORTY-FOURTH SESSION DAY
FOUR HUNDRED TWENTY-FOURTH 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, January 29, 2004

The Assembly met at 9 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 Mountjoy moved a quorum call of the Assembly.

Motion carried. Time, 9:01 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 9:06 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	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	

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, Train us to be godly. For while physical exercise may have certain value, godliness has value in every way, since it holds promise both in this life and in the life to come. Help us to live our life as an example in speech and conduct, in love, in faith and in purity. For we have put our hope in You, the living God, Who is the Savior of all people, especially of those who believe in You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Chan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Chan, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

On personal business, and waiving per diem: Assembly Member Wesson.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

January 27, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Designation of Theresa Taylor-Carroll
to California Earthquake Insurance Authority Governing Board

Dear Mr. Wilson: Please be advised I have selected Ms. Theresa Taylor-Carroll to the California Earthquake Insurance Authority Governing Board. This is a pleasure appointment starting January 27, 2004. Ms. Taylor-Carroll will be replacing Mr. Hank Dixon.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

January 29, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed the following members to the Select Committee on Urban Youth:

Assemblymember Ron Calderon
 Assemblymember Lloyd Levine
 Assemblymember Cindy Montanez

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

January 29, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Lou Correa to replace Assemblymember Fabian Nunez on the Assembly Utilities and Commerce Committee for the Monday, February 2nd hearing only.

Sincerely,

HERB J. WESSON, JR.
 Speaker of the California Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 29, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 104
 Assembly Concurrent Resolution No. 164

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, January 29, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

House Resolution No. 20

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, January 29, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 161

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 29, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 252

Assembly Bill No. 854

Assembly Bill No. 406

Assembly Bill No. 858

Assembly Bill No. 624

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Select Committee on California's Foreign Trade Offices, on Thursday, January 29, 2004, at 1:30 p.m. or upon adjournment of Floor Session and on Wednesday, February 25, 2004, at 1:30 p.m., in Room 127;

Select Committee on California Children's School Readiness and Health to convene jointly with the Committee on Public Safety, and the Senate Committee on Public Safety, on Thursday, February 5, 2004, at 1:30 p.m., in Room 4203;

Select Committee on Small Business, on Friday, February 6, 2004, in Glendale;

Utilities and Commerce, on Monday, February 2, 2004, at 10 a.m., in Room 447.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1843—Maze. An act to add Section 7073.7 to the Government Code, relating to economic development.

ASSEMBLY BILL NO. 1844—Cohn. An act to amend Section 127671 of the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 1845—Lowenthal. An act to add Chapter 3.71 (commencing with Section 12145) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 1846—Goldberg. An act to add Article 3 (commencing with Section 12330) to Chapter 3 of Part 8 of the Education Code, relating to education.

ASSEMBLY BILL NO. 1847—Koretz. An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1848—Harman. An act to amend Section 18100.5 of, and to add Sections 18105, 18106, 18107, and 18108 to, the Probate Code, relating to trusts.

ASSEMBLY BILL NO. 1849—Nation. An act to amend Section 8265.7 of, to add Sections 8206.8, 8273, 8274, and 8471 to, and to repeal and add Section 8223 to, the Education Code, and to add Section 1596.804 to the Health and Safety Code, relating to child care.

ASSEMBLY BILL NO. 1850—Cohn. An act to amend Section 470 of, and to add Sections 470.1, 470.2, 470.3, 470.4, and 470.5 to, the Revenue and Taxation Code, relating to property taxation.

ASSEMBLY BILL NO. 1851—Harman. An act to amend Sections 3600, 3601, 3602, 3603, 3604, 3610, 3611, and 3612 of, and to add Section 3613 to, the Probate Code, relating to incapacity.

ASSEMBLY BILL NO. 1852—Mullin. An act to amend Sections 22134, 22134.5, 24203, and 24221 of, and to repeal Section 22136 of, the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 1853—Simitian. An act to add Section 11110 to the Health and Safety Code, relating to nonprescription drugs.

ASSEMBLY BILL NO. 1854—Simitian. An act to amend Section 24400 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1855—Maze. An act to amend Section 63040 of the Government Code, relating to economic development.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 167—Richman (Coauthors: Benoit, Cox, Daucher, Frommer, Garcia, Haynes, Houston, Jackson, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Liu, Maze, Montanez, Mullin, Nakanishi, Pacheco, Pavley, Plescia, Runner, Samuelian, Spitzer, Strickland, Vargas, and Yee) (Coauthors: Senators Alpert, Bowen, Denham, Johnson, McClintock, Oller, and Speier). Relative to condemning hateful acts and beliefs.

ASSEMBLY CONCURRENT RESOLUTION NO. 168—Maze. Relative to Korean War Armistice Day.

HOUSE RESOLUTION NO. 40—Diaz. Relative to the California State University.

HOUSE RESOLUTION NO. 41—Firebaugh and Nunez. Relative to commending the Honorable Herb J. Wesson, Jr.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1786	L. Gov.
1787	Trans.
1788	Nat. Res.
1789	Rev. & Tax.
1790	Ed.
1791	Rev. & Tax. and J., E.D. & E.
1794	Health
1795	Ed.
1796	Hum. S.
1797	B. & P.
1798	Trans.
1799	Rev. & Tax.
1800	Budget
1801	Pub. S.
1802	Pub. S.
1803	Hum. S.
1804	Rev. & Tax.
1806	Pub. S.
1807	Higher Ed.
1808	Pub. S.
1809	Trans.
1812	B. & P.
1813	Pub. S.
1814	Pub. S.
1815	Rev. & Tax.
1816	B. & P.

1817 ----- Jud. and Pub. S.
 1818 ----- Jud.
 1820 ----- Ed.
 1821 ----- Hum. S.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
165 -----	Rls.
166 -----	Rls.

House

<i>Resolution No.</i>	<i>Committee</i>
41 -----	Rls.

AUTHOR'S AMENDMENTS
Committee on Utilities and Commerce

January 29, 2004

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Senate Bill No.772

With author's amendments with the recommendation: Amend, and re-refer to the committee.

REYES, Chair

SENATE BILL NO. 772—An act to add Article 5.6 (commencing with Section 848) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to electricity.

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, January 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 98

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, January 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 6	Senate Bill No. 550
Senate Bill No. 29	Senate Bill No. 628
Senate Bill No. 102	Senate Bill No. 650
Senate Bill No. 142	Senate Bill No. 676
Senate Bill No. 215	Senate Bill No. 740
Senate Bill No. 218	Senate Bill No. 753
Senate Bill No. 236	Senate Bill No. 805
Senate Bill No. 301	Senate Bill No. 840
Senate Bill No. 379	Senate Bill No. 883
Senate Bill No. 427	Senate Bill No. 905
Senate Bill No. 431	Senate Bill No. 924
Senate Bill No. 493	

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, January 27, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 15

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 6—An act relating to education.

SENATE BILL NO. 29—An act to amend Sections 14148.03 and 14148.04 of the Welfare and Institutions Code, relating to Medi-Cal.

SENATE BILL NO. 102—An act to amend Sections 22121, 22134.5, 22720, 24203.5, and 24203.6 of the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

SENATE BILL NO. 142—An act to amend Section 1357.22 of the Health and Safety Code, to amend Section 10762 of the Insurance Code, and to amend Section 2130 of the Labor Code, relating to health care coverage.

SENATE BILL NO. 215—An act to amend Sections 2100 and 2104 of, and to add Chapter 4 (commencing with Section 2200) to Division 2.5 of, the Welfare and Institutions Code, relating to minors.

SENATE BILL NO. 218—An act to amend Section 2717 of the Public Resources Code, relating to surface mining.

SENATE BILL NO. 236—An act to amend Section 7055 of the Fish and Game Code, relating to fishing.

SENATE BILL NO. 301—An act to add Chapter 3.2 (commencing with Section 8251) to Division 1 of Title 2 of the Government Code, relating to the Commission on Latino/Latina Affairs.

SENATE BILL NO. 379—An act to add Article 3 (commencing with Section 127400) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

SENATE BILL NO. 427—An act to add and repeal Chapter 3.2 (commencing with Section 8251) of Division 1 of Title 2 of the Government Code, relating to Mexican repatriation.

SENATE BILL NO. 431—An act relating to health, and making an appropriation therefor.

SENATE BILL NO. 493—An act to add and repeal Chapter 6.82 (commencing with Section 25395.60) of, and to add Chapter 6.83 (commencing with Section 25395.91) to, Division 20 of the Health and Safety Code, relating to hazardous materials.

SENATE BILL NO. 550—An act relating to education.

SENATE BILL NO. 628—An act to amend Section 17071.76 of the Education Code, relating to school facilities.

SENATE BILL NO. 650—An act to amend Section 290.4 of the Penal Code, relating to sex offenders.

SENATE BILL NO. 676—An act to add Part 5.5 (commencing with Section 105500) to Division 103 of the Health and Safety Code, relating to public health.

SENATE BILL NO. 740—An act to add Section 798.80.5 to the Civil Code, relating to mobilehome parks.

SENATE BILL NO. 753—An act relating to state claims, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 805—An act relating to hazardous substances.

SENATE BILL NO. 840—An act to add Section 12749.96 to the Water Code, relating to water.

SENATE BILL NO. 883—An act to amend Section 296 of the Penal Code, relating to forensic identification.

SENATE BILL NO. 905—An act to amend, repeal, and add Section 48800 of the Education Code, relating to educational enrichment.

SENATE BILL NO. 924—An act to add and repeal Chapter 4.8 (commencing with Section 2195) of Division 3 of the Streets and Highways Code, relating to transportation.

The following resolution was read:

SENATE JOINT RESOLUTION NO. 15—Relative to the federal poverty level.

MESSAGES FROM THE SENATE

Senate Chamber, January 28, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

- Assembly Bill No. 97
- Assembly Bill No. 371
- Assembly Bill No. 806

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, January 28, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- Assembly Concurrent Resolution No. 141
- Assembly Concurrent Resolution No. 143
- Assembly Concurrent Resolution No. 155
- Assembly Concurrent Resolution No. 157
- Assembly Concurrent Resolution No. 158

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, January 28, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

- Senate Bill No. 694

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, January 28, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

- | | |
|---------------------|----------------------|
| Senate Bill No. 50 | Senate Bill No. 558 |
| Senate Bill No. 76 | Senate Bill No. 595 |
| Senate Bill No. 111 | Senate Bill No. 764 |
| Senate Bill No. 136 | Senate Bill No. 785 |
| Senate Bill No. 246 | Senate Bill No. 914 |
| Senate Bill No. 382 | Senate Bill No. 928 |
| Senate Bill No. 492 | Senate Bill No. 1021 |
| Senate Bill No. 526 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, January 28, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

- | | |
|-------------------------------------|-------------------------------------|
| Senate Concurrent Resolution No. 42 | Senate Concurrent Resolution No. 55 |
| Senate Concurrent Resolution No. 52 | Senate Concurrent Resolution No. 56 |
| Senate Concurrent Resolution No. 54 | |

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS (RESUMED)

The following bills were read the first time:

SENATE BILL NO. 50—An act to amend Section 25214.10 of the Health and Safety Code, and to amend Sections 42463, 42464, 42465.2, 42465.3, 42475, 42475.2, 42476, 42476.5, 42476.6, 42477, and 42478 of, and to repeal Section 42475.1 of, the Public Resources Code, relating to solid waste.

SENATE BILL NO. 76—An act to add Section 48911.3 to the Education Code, relating to school attendance.

SENATE BILL NO. 111—an act to amend Sections 29, 4866, 6095, and 6140.2 of, and to repeal Sections 2873.7, 6086.12, 9889.60, 9889.62, and 9889.64 of, the Business and Professions Code, to repeal Chapter 3 (commencing with Section 1812.40) of Title 2 of Part 4 of Division 3 of the Civil Code, to amend Section 529.1 of the Code of Civil Procedure, to amend Sections 62000, 71027, 71051, 89343, and 92640 of the Education Code, to amend Section 3200 of, and to repeal Sections 20025 and 20042 of, the Family Code, to amend Section 15702 of, and to repeal Sections 715, 15602, and 15603 of, the Fish and Game Code, to amend Sections 5029, 13127, and 58509 of, and to repeal Sections 13124, 13125, and 42814 of, the Food and Agricultural Code, to amend Sections 6276.12, 6276.30, 6276.46, 8293, 8588.5, 8875.1, 9121, 11011.15, 12092, 12173, 14036.6, 15814.25, 16272.5, and 51015.05 of, and to repeal Sections 8593.3, 8599.1, 8870.75, 8877.7, 9116, 11011.19, 14525.6, 16272.3, 16367.9, 19995.35, 19998.5, 30605, 51015.1, 53117, 68106, 68511.4, and 68515 of, to repeal Article 6.5 (commencing with Section 53125) of Chapter 1 of Part 1 of Division 2 of Title 5 of, to repeal Chapter 5 (commencing with Section 16285) of Part 1.5 of Division 4 of Title 2 of, and to repeal Part 14 (commencing with Section 16000) of Division 3 of Title 2 of, the Government Code, to amend Sections 1179.2, 1275.3, 1522.4, 1596.955, 6982, 11756.7, 11758.10, 11772, 11798.1, 11831.5, 11998.2, 16109, 25159.19, 25503.2, 40410.5, 40452, 43013.5, 50519, 50524, 105140, 105175, 110795, 114820, 116360, 124150, 124160, 124195, 127360, 128195, and 129295 of, to repeal Sections 1205.1, 1519, 1520.65, 1522.6, 1527.9, 1529.3, 1557, 1569.545, 1597.01, 1598.3, 11756.5, 11757.62, 11758.33, 11782, 11963.5, 13143.7, 18944.34, 25159.13, 25244.3, 25299.80, 25928, 38045, 39663, 44245, 44247, 50837, 101535, 104595, 105335, 108865, 110540, 120865, 124135, 124140, 124145, 124235, and 127365 of, to repeal Article 5 (commencing with Section 25547) of Chapter 6.95 of Division 20 of, to repeal Article 5 (commencing with Section 100475) of Chapter 3 of Part 1 of Division 101 of, to repeal Chapter 3.5 (commencing with Section 11758.50) of Part 1 of Division 10.5 of, and to repeal Chapter 5 (commencing with Section 11759.10) of Part 1 of Division 10.5 of, the Health and Safety Code, to repeal Sections 11751.51, 12693.94, and 12696.25 of the Insurance Code, to amend Section 139.43 of, and to repeal Section 6715 of, the Labor Code, to repeal Section 1012.5 of the Military and Veterans Code, to amend Sections 653.1, 1247k, 2053, 3053.2, 5010, 5066, 7514, 13508, and 14210 of, and to repeal Sections 1174.6, 3424, 4497.40, 7009, 11108.7, 11110, 13013, 13828.2, and 13871 of, the Penal Code, to amend Sections 612.5, 4562.5, 42553, and 71064 of, and to repeal Sections 2802, 2804.6, 3488, 4473, 4563.5, 6226, 18017, 25689, 29777, 42552, and 42776 of, the Public Resources Code, to amend Sections 322, 701.6, 5371.4, 5385.6, and 99620 of, to repeal Sections 5388, 8303, and 99621 of, and to repeal Article 4 (commencing with Section 442) of Chapter 2.5 of Part 1 of Division 1 of, the Public Utilities Code, to amend Sections 18405, 19264, and 23331 of, and to repeal Sections 2237.3 and 2327 of, the Revenue and Taxation Code, to repeal Section 155.8 of the Streets and Highways Code, to amend Section 11011 of, and to repeal Sections 1598 and 11005 of, the Unemployment Insurance Code, to amend Sections 4750.4, 5011.5, 14112, 40001, and 42007 of, and to repeal Sections 2575, 4750.2, 21370.1, 32005, and 34508.5 of, the Vehicle Code, to repeal Sections 1061, 12226.1, and 12228 of the Water Code, and to amend Sections 503, 1120, 4390, 4689.1, 5719.5, 11008, 11008.19, 11213, 11215, 11469, 11476.6, 14005.6, 14026.5, 14041.5, 14087.2, 14104.6, 14105.15, 14499.5, and 16576 of, and to repeal Sections 225.05, 398, 898.5, 1756.1, 1906, 1914, 4026, 4506, 4519.5, 4637, 4681.2, 4692, 4751, 4838, 4842, 5734, 5914, 10627, 11004.5, 11406, 12312, 14090.1, 14090.2, 14090.3, 14195.8, 14492, 16501.6, 18379, 18989.3, and 19856 of, the Welfare and Institutions Code, relating to state reports.

SENATE BILL NO. 136—An act to amend Sections 4984.7 and 4996.3 of the Business and Professions Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 246—An act to amend Section 19280 of the Revenue and Taxation Code, relating to courts.

SENATE BILL NO. 382—An act to amend Section 1520.5 of the Health and Safety Code, relating to community care facilities.

SENATE BILL NO. 492—An act to amend and repeal Section 65585.2 of the Government Code, relating to housing.

SENATE BILL NO. 526—An act to amend Section 33378 of the Health and Safety Code, relating to redevelopment.

SENATE BILL NO. 558—An act relating to local planning.

SENATE BILL NO. 595—An act to amend Section 1033 of, and to add Section 1326.5 to, the Unemployment Insurance Code, relating to unemployment insurance.

SENATE BILL NO. 764—An act to amend Section 205.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

SENATE BILL NO. 785—An act to add Section 14016.51 to the Welfare and Institutions Code, relating to Medi-Cal.

SENATE BILL NO. 914—An act to add Section 13823.13 to, and to repeal Sections 13823.15, 13823.16, 13823.3, 13837, and 13838 of, the Penal Code, relating to domestic violence, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 928—An act to amend Section 1635.5 of, and to add Section 1635.7 to, the Business and Professions Code, relating to dentistry.

SENATE BILL NO. 1021—An act to amend Section 16337 of, and to add Chapter 5 (commencing with Section 16500) to Part 4 of Division 9 of, the Probate Code, relating to trusts.

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 42—Relative to women's health.

SENATE CONCURRENT RESOLUTION NO. 52—Relative to Family Empowerment Month.

SENATE CONCURRENT RESOLUTION NO. 54—Relative to World Languages and Cultures Month.

SENATE CONCURRENT RESOLUTION NO. 55—Relative to Educational Options Month.

SENATE CONCURRENT RESOLUTION NO. 56—Relative to the Joint Committee on Boards, Commissions, and Consumer Protection.

**SENATE BILL NO. 407 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Mullin was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 407 was refused passage; and that the bill be placed upon the inactive file.

GOVERNOR'S VETOES STRICKEN FROM THE FILE

Assembly Member Aghazarian was granted unanimous consent that the Governor's veto of Assembly Bill No. 627 be stricken from the file.

Assembly Member Daucher was granted unanimous consent that the Governor's veto of Assembly Bill No. 43 be stricken from the file.

Assembly Member Bermudez was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 1392 and 1027 be stricken from the file.

Assembly Member Longville was granted unanimous consent that the Governor's veto of Assembly Bill No. 1438 be stricken from the file.

Assembly Member Strickland was granted unanimous consent that the Governor's veto of Assembly Bill No. 773 be stricken from the file.

Assembly Member Simitian was granted unanimous consent that the Governor's vetoes of Assembly Bills Nos. 51, 52 and 218 be stricken from the file.

Assembly Member Frommer was granted unanimous consent that the Governor's veto of Assembly Bill No. 487 be stricken from the file.

ACTION RESCINDED ON SENATE BILL NO. 604

Assembly Member Chan was granted unanimous consent to rescind the action whereby the Assembly, on January 12, 2004 (Assembly Journal, page 4216), adopted the urgency clause and passed Senate Bill No. 604, and whereby the bill was ordered transmitted to the Senate.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chan was granted unanimous consent that the Special Committee on State Mandates be permitted to hold an informational meeting on February 2, 2004, at 10 a.m., in Room 447, and that Joint Rule 62(a) be waived; and to permit the Committee on Rules to meet today, during Floor session.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9:13 a.m., by unanimous consent, the members of the Committee on Rules 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 CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bills

ASSEMBLY BILL NO. 1704 (Committee on Judiciary)—An act to amend Section 27282 of the Government Code, relating to family law.

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.)*

ASSEMBLY BILL NO. 1709 (Committee on Judiciary)—An act to amend Sections 68085, 68502.7, and 77006.5 of the Government Code, relating to courts.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 1711 (Committee on Judiciary)—An act to amend Sections 6028 and 6140.7 of the Business and Professions Code, relating to attorneys.

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.)*

ASSEMBLY BILL NO. 1714 (Committee on Judiciary)—An act to amend Section 1281 of the Code of Civil Procedure, relating to arbitration.

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.)*

ASSEMBLY BILL NO. 979 (Negrete McLeod)—An act to amend Sections 31520.5, 31681.8, 31683, 31704, and 31789.5 of, to add Sections 31762.5, 31763.5, 31764.5, 31764.6, and 31764.7 to, and to repeal Section 31520.3 of., the Government Code, relating to county employees' retirement.

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.)*

ASSEMBLY BILL NO. 279 (Cohn)—An act to amend Section 5101.8 of the Vehicle Code, relating to vehicles.

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.)*

ASSEMBLY BILL NO. 340 (Frommer)—An act to amend Sections 21464, 40000.13, and 42001 of the Vehicle Code, relating to traffic control devices.

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.)*

ASSEMBLY BILL NO. 549 (Cohn)—An act to amend Section 243.83 of the Penal Code, relating to crime.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 891 (Runner)—An act to amend Section 44010 of the Education Code, relating to school employees.

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.)*

ASSEMBLY BILL NO. 1000 (Dutra)—An act to amend Sections 1502, 2117, 6210, and 8210 of, and to add Sections 1502.1 and 2117.1 to, the Corporations Code, and to amend Section 12186 of the Government Code, relating to corporations, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

ASSEMBLY BILL NO. 1071 (Committee on Agriculture)—An act to amend Section 19227 of, and to amend, repeal, and add Section 15061 of the Food and Agricultural Code, relating to commercial feed, 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.)

ASSEMBLY BILL NO. 1126 (Dutton)—An act to amend Section 17072.10 of the Education Code, relating to school facilities.

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.)

ASSEMBLY BILL NO. 1127 (Shirley Horton)—An act to add Section 14001 to, and to repeal Sections 15037 and 15037.1 of, the Unemployment Insurance Code, relating to unemployment insurance.

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.)

ASSEMBLY BILL NO. 1138 (Frommer)—An act to amend amend Sections 5007, 22511.56, and 22511.57 of the Vehicle Code, relating to vehicles.

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.)

ASSEMBLY BILL NO. 1356 (Cohn)—An act to add Chapter 1.5 (commencing with Section 13995.150) to Part 4.7 of Division 3 of Title 2 of the Government Code, relating to tourism.

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.)

ASSEMBLY BILL NO. 1592 (Committee on Veterans Affairs)—An act to amend Section 14845 of the Government Code, and to amend Sections 999, 999.5, 999.7, 999.9, 999.11, and 999.12 of the Military and Veterans Code, relating to veterans.

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.)

ASSEMBLY BILL NO. 1596 (Frommer)—An act to amend Section 1363.07 of the Health and Safety Code, and to amend Section 10113.8 of the Insurance Code, relating to health care coverage.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1684 (Leno)—An act to amend Section 379.6 of the Public Utilities Code, relating to energy resources.

Bill read third time, passed, and ordered transmitted to the Senate.

*(For the vote on the above bill, see this day's
Consent Calendar roll call.)*

ASSEMBLY BILL NO. 911 (Longville)—An act to add Section 148.8 to the Penal Code, relating to public safety services.

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.)*

ASSEMBLY BILL NO. 1073 (Dutton)—An act to add Section 17136.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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.)*

ASSEMBLY BILL NO. 1240 (Mullin)—An act to amend Sections 1522, 1568.09, 1569.17, and 1596.871 of the Health and Safety Code, relating to care facilities.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1454 (Canciamilla)—An act to add and repeal Section 116183 of the Health and Safety Code, relating to the public health, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

ASSEMBLY CONCURRENT RESOLUTION NO. 61 (Koretz)—Relative to Financial Literacy for Youth Month.

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. 153 (Montanez)—Relative to Cervical Cancer Awareness Month.

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 BILL NO. 700 (Diaz)—An act to amend Sections 12102 and 12114 of the Insurance Code, relating to insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time, urgency clause adopted, bill passed, and ordered transmitted to the Senate.

(For the vote on the above bill and urgency clause, see this day's Consent Calendar roll call.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, and any urgency clauses to the bills adopted, by the following vote:

AYES—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	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	

NOES—None**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Date of Hearing: January 29, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 164

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to third reading.

Date of Hearing: January 29, 2004

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 41

With the recommendation: Be adopted.

NATION, Chair

Above resolution ordered to Special Order of Business.

**ASSEMBLY CONCURRENT RESOLUTION NO. 164 TAKEN UP
BY UNANIMOUS CONSENT**

Assembly Member Haynes was granted unanimous consent to take up Assembly Concurrent Resolution No. 164, without reference to file, and that the same be considered engrossed.

ASSEMBLY CONCURRENT RESOLUTION NO. 164—Relative to Ronald Reagan Day.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 164**

Assembly Member Haynes was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 164.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bogh, Campbell, Canciamilla, Chavez, Cogdill, Corbett, Correa, Cox, Daucher, Dutra, Dutton, Firebaugh, Garcia, Harman, Shirley Horton, Houston, Jackson, Keene, La Malfa, La Suer, Leslie, Liu, Maddox, Maldonado, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Negrete McLeod, Nunez, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Haynes was granted unanimous consent to take up Assembly Concurrent Resolution No. 164, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 164, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 164—Relative to Ronald Reagan Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 1005 and 131; and Assembly Bill No. 100 were continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 624 (Lieber)—An act to amend Section 798.74 of the Civil Code, relating to mobilehomes.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Lieber moved a call of the Assembly.

Motion carried. Time, 9:31 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

UNFINISHED BUSINESS (RESUMED)**ASSEMBLY BILL NO. 1740 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Chavez was granted unanimous consent that the vote be reconsidered whereby Senate amendments to Assembly Bill No. 1740 were refused concurrence.

Further Consideration of Senate Amendments to Assembly Bill No. 1740

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.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—79

Aghazarian	Dutton	Leslie	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	

NOES—None

Above bill ordered enrolled.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

ASSEMBLY BILL NO. 854 (Koretz)—An act to amend Section 1170 of the Penal Code, relating to crime.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Koretz moved a call of the Assembly.

Motion carried. Time, 10:07 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 252 (Jackson)—An act to amend Section 7634 of, to add Section 7635.5 to, and to add Article 1.5 (commencing with Section 7645) to Chapter 4 of Part 3 of Division 12 of, the Family Code, relating to paternity.

Bill read third time, and passed 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	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	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 476 (Correa)—An act to amend Section 31642 of the Government Code, relating to county employees retirement.

Bill read third time, and passed by the following vote:

AYES—67

Aghazarian	Dymally	Leslie	Pacheco
Benoit	Firebaugh	Levine	Parra
Berg	Frommer	Lieber	Pavley
Bermudez	Garcia	Liu	Plescia
Bogh	Goldberg	Longville	Reyes
Calderon	Hancock	Lowenthal	Ridley-Thomas
Canciamilla	Harman	Maddox	Salinas
Chan	Horton, Jerome	Maldonado	Samuelian
Chavez	Horton, Shirley	Matthews	Simitian
Chu	Houston	Montanez	Spitzer
Cohn	Jackson	Mullin	Steinberg
Corbett	Keene	Nakanishi	Vargas
Correa	Kehoe	Nakano	Wiggins
Daucher	Koretz	Nation	Wolk
Diaz	La Suer	Negrete McLeod	Wyland
Dutra	Laird	Nunez	Yee
Dutton	Leno	Oropeza	

NOES—7

Campbell	Haynes	McCarthy	Runner
Cogdill	La Malfa	Mountjoy	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1564 (Chavez)—An act to amend Section 56000 of, to add Section 56000.6 to, and to add Article 7 (commencing with Section 79220) to Chapter 9 of Part 48 of, the Education Code, relating to special education.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Chavez moved a call of the Assembly.

Motion carried. Time, 10:27 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**At 10:28 a.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ASSEMBLY BILL NO. 537 (Correa)—An act to add Section 354.8 to the Code of Civil Procedure, relating to statutes of limitation.

Bill read third time, and passed 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	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	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 269 (Mullin)—An act to add Section 33334.2.2 to the Health and Safety Code, relating to redevelopment.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	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	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 124 (Cogdill)—An act to amend Section 17052 of the Education Code, relating to school facilities, 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	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
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	
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
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	
Diaz	Leno	Oropeza	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 152 (Levine)—An act to amend Sections 56000, 56032, 56040, 56043, 56170, 56195.7, 56301, 56320, 56321, 56329, 56341.5, 56344, 56345, 56345.1, 56346, 56365, 56381, 56500.3, 56500.4, 56502, 56504.5, 56505, 56506, 56836.155, and 56863 of, to add Section 56500.6 to, and to add Chapter 5.1 (commencing with Section 56515) to Part 30 of, the Education Code, relating to special education.

Bill read third time, and passed by the following vote:

AYES—78

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Liu	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	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	
Dutra	Leslie	Pacheco	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 204 (Nation)—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to vehicles, and making an appropriation therefor.

Bill read third time.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Nation moved a call of the Assembly.

Motion carried. Time, 10:45 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 854**

At 10:48 a.m., on motion of Assembly Member Koretz, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 854 passed by the following vote:

AYES—45

Berg	Firebaugh	Liu	Richman
Bermudez	Frommer	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Salinas
Canciamilla	Hancock	Montanez	Simitian
Chan	Horton, Jerome	Mullin	Steinberg
Chavez	Jackson	Nation	Vargas
Chu	Kehoe	Negrete McLeod	Wiggins
Cohn	Koretz	Nunez	Wolk
Corbett	Laird	Oropeza	Yee
Diaz	Leno	Parra	
Dutra	Levine	Pavley	
Dymally	Lieber	Reyes	

NOES—30

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Maddox	Plescia
Benoit	Garcia	Maldonado	Runner
Bogh	Harman	Matthews	Samuelian
Campbell	Haynes	Maze	Spitzer
Cogdill	Houston	McCarthy	Wyland
Correa	Keene	Mountjoy	
Cox	La Malfa	Nakanishi	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 242 (Liu)—An act relating to teachers.

Bill read third time, and passed by the following vote:

AYES—49

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Richman
Calderon	Garcia	Lowenthal	Ridley-Thomas
Canciamilla	Goldberg	Matthews	Salinas
Chan	Hancock	Montanez	Simitian
Chavez	Horton, Jerome	Mullin	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	Laird	Nunez	Yee
Diaz	Leno	Oropeza	
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—22

Aghazarian	Haynes	Maddox	Plescia
Campbell	Houston	Maze	Runner
Cogdill	Keene	McCarthy	Strickland
Cox	La Malfa	Mountjoy	Wyland
Dutton	La Suer	Nakanishi	
Harman	Leslie	Pacheco	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 242: Assembly Member Bogh, from “No” to “Not Voting”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 321 (Cogdill)—An act to add Section 1366.2 to the Health and Safety Code, relating to health care, 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	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Campbell	Haynes	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
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	Nunez	Yee
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—77

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bermudez	Goldberg	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maddox	Runner
Calderon	Harman	Maldonado	Salinas
Campbell	Haynes	Matthews	Samuelian
Canciamilla	Horton, Jerome	Maze	Simitian
Chan	Horton, Shirley	McCarthy	Spitzer
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	Nunez	Yee
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 392 (Montanez)—An act to add Section 164.60 to the Streets and Highways Code, relating to transportation.

Bill read third time, and passed by the following vote:

AYES—46

Berg	Firebaugh	Liu	Pavley
Bermudez	Frommer	Longville	Reyes
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Chan	Hancock	Maldonado	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	
Dymally	Lieber	Parra	

NOES—33

Aghazarian	Dutton	Leslie	Richman
Bates	Garcia	Maddox	Runner
Benoit	Harman	Matthews	Samuelian
Bogh	Haynes	Maze	Spitzer
Campbell	Horton, Shirley	McCarthy	Strickland
Canciamilla	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	La Suer	Plescia	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 750 (Matthews)—An act to add Section 14105.485 to the Welfare and Institutions Code, relating to Medi-Cal.

Bill read third time, and passed by the following vote:

AYES—74

Aghazarian	Dymally	Levine	Parra
Bates	Firebaugh	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mullin	Steinberg
Cohn	Kehoe	Nakanishi	Vargas
Corbett	Koretz	Nakano	Wiggins
Correa	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	
Dutton	Leslie	Pacheco	

NOES—4

Campbell	Cox	Haynes	Mountjoy
----------	-----	--------	----------

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 848 (Nation)—An act to amend Sections 17039 and 23036 of, and to add and repeal Sections 17053.63, 17250.8, 23663, and 24349.8 of, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read third time.

The roll was opened.

At 11:23 a.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

Call of the Assembly

Pending the announcement of the vote, Assembly Member Nation moved a call of the Assembly.

Motion carried. Time, 11:27 a.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

ASSEMBLY BILL NO. 1175 (Koretz)—An act to amend Sections 44775.1 and 44775.7 of, to add Section 44775.9 to, the Education Code, and to repeal Section 5 of Chapter 702 of the Statutes of 2002, relating to public schools.

Bill read third time, and passed by the following vote:

AYES—70

Aghazarian	Firebaugh	Lieber	Pavley
Bates	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Canciamilla	Horton, Jerome	Matthews	Salinas
Chan	Horton, Shirley	Maze	Samuelian
Chavez	Houston	Montanez	Simitian
Chu	Jackson	Mullin	Spitzer
Cogdill	Keene	Nakanishi	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Daucher	La Suer	Nunez	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	
Dymally	Levine	Parra	

NOES—3

Haynes	Leslie	Mountjoy
--------	--------	----------

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1175: Assembly Member Cogdill, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 56 (Steinberg)—An act relating to child preschool programs.

Bill read third time, and passed by the following vote:

AYES—52

Berg	Dymally	Levine	Oropeza
Bermudez	Firebaugh	Lieber	Parra
Calderon	Frommer	Liu	Pavley
Canciamilla	Garcia	Longville	Reyes
Chan	Goldberg	Lowenthal	Richman
Chavez	Hancock	Maldonado	Ridley-Thomas
Chu	Harman	Matthews	Salinas
Cohn	Horton, Jerome	Montanez	Simitian
Corbett	Jackson	Mullin	Steinberg
Correa	Kehoe	Nakano	Vargas
Daucher	Koretz	Nation	Wiggins
Diaz	Laird	Negrete McLeod	Wolk
Dutra	Leno	Nunez	Yee

NOES—24

Aghazarian	Dutton	Leslie	Pacheco
Benoit	Haynes	Maddox	Plescia
Bogh	Houston	Maze	Runner
Campbell	Keene	McCarthy	Samuelian
Cogdill	La Malfa	Mountjoy	Strickland
Cox	La Suer	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1550 (Goldberg)—An act relating to public education.

Bill read third time, and passed by the following vote:

AYES—48

Berg	Dymally	Lieber	Parra
Bermudez	Firebaugh	Liu	Pavley
Calderon	Frommer	Longville	Reyes
Canciamilla	Goldberg	Lowenthal	Richman
Chan	Hancock	Matthews	Ridley-Thomas
Chavez	Horton, Jerome	Montanez	Salinas
Chu	Jackson	Mullin	Simitian
Cohn	Kehoe	Nakano	Steinberg
Corbett	Koretz	Nation	Vargas
Correa	Laird	Negrete McLeod	Wiggins
Diaz	Leno	Nunez	Wolk
Dutra	Levine	Oropeza	Yee

NOES—27

Aghazarian	Dutton	La Suer	Pacheco
Bates	Garcia	Leslie	Plescia
Benoit	Harman	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1699 (Laird)—An act to add Article 10.4 (commencing with Section 25214.30) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

Bill read third time, and passed by the following vote:

AYES—46

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Richman
Calderon	Goldberg	Lowenthal	Ridley-Thomas
Canciamilla	Hancock	Maldonado	Salinas
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Jackson	Mullin	Steinberg
Chu	Kehoe	Nakano	Vargas
Cohn	Koretz	Nation	Wiggins
Corbett	Laird	Nunez	Wolk
Diaz	Leno	Oropeza	Yee
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—32

Aghazarian	Daucher	La Malfa	Nakanishi
Bates	Dutton	La Suer	Pacheco
Benoit	Garcia	Leslie	Plescia
Bogh	Harman	Maddox	Runner
Campbell	Haynes	Matthews	Samuelian
Cogdill	Horton, Shirley	Maze	Spitzer
Correa	Houston	McCarthy	Strickland
Cox	Keene	Mountjoy	Wyland

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 1564**

At 11:56 a.m., on motion of Assembly Member Chavez, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 1564 passed by the following vote:

AYES—48

Bates	Dutra	Lieber	Parra
Berg	Dymally	Liu	Pavley
Bermudez	Firebaugh	Longville	Reyes
Calderon	Frommer	Lowenthal	Ridley-Thomas
Canciamilla	Goldberg	Maldonado	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	Wyland
Diaz	Levine	Oropeza	Yee

NOES—26

Aghazarian	Garcia	La Suer	Nakanishi
Benoit	Harman	Leslie	Pacheco
Bogh	Haynes	Maddox	Plescia
Campbell	Horton, Shirley	Matthews	Runner
Cogdill	Houston	Maze	Spitzer
Daucher	Keene	McCarthy	
Dutton	La Malfa	Mountjoy	

Bill ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILES (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 672 (Montanez)—An act to amend Section 51504 of the Health and Safety Code, relating to affordable housing.

Bill read third time, and passed by the following vote:

AYES—51

Berg	Firebaugh	Levine	Oropeza
Bermudez	Frommer	Lieber	Parra
Calderon	Garcia	Liu	Pavley
Canciamilla	Goldberg	Longville	Reyes
Chan	Hancock	Lowenthal	Ridley-Thomas
Chavez	Horton, Jerome	Maldonado	Salinas
Chu	Horton, Shirley	Matthews	Simitian
Cohn	Houston	Montanez	Steinberg
Corbett	Jackson	Mullin	Vargas
Correa	Kehoe	Nakano	Wiggins
Diaz	Koretz	Nation	Wolk
Dutra	Laird	Negrete McLeod	Yee
Dymally	Leno	Nunez	

NOES—28

Aghazarian	Daucher	Leslie	Plescia
Bates	Dutton	Maddox	Richman
Benoit	Harman	Maze	Runner
Bogh	Haynes	McCarthy	Samuelian
Campbell	Keene	Mountjoy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Cox	La Suer	Pacheco	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 868 (Parra)—An act to amend Sections 50710.1 and 50712.5 of the Health and Safety Code, relating to migrant farm labor centers.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	Dutton	Levine	Pacheco
Bates	Dymally	Lieber	Parra
Benoit	Firebaugh	Liu	Pavley
Berg	Frommer	Longville	Plescia
Bermudez	Garcia	Lowenthal	Reyes
Bogh	Goldberg	Maddox	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Harman	Matthews	Runner
Chan	Haynes	Maze	Salinas
Chavez	Horton, Jerome	McCarthy	Samuelian
Chu	Horton, Shirley	Montanez	Simitian
Cogdill	Houston	Mountjoy	Spitzer
Cohn	Jackson	Mullin	Steinberg
Corbett	Kehoe	Nakanishi	Strickland
Correa	Koretz	Nakano	Vargas
Cox	La Malfa	Nation	Wiggins
Daucher	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Wyland
Dutra	Leslie	Oropeza	Yee

NOES—None

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly Bill No. 868: Assembly Members Campbell and Keene, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1466 (Koretz)—An act to repeal Title 7.9 (commencing with Section 68055) of the Government Code, and to add Chapter 5.3 (commencing with Section 42250) and Chapter 20 (commencing with Section 42970) to Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

Bill read third time, and passed by the following vote:

AYES—50

Berg	Firebaugh	Lieber	Parra
Bermudez	Frommer	Liu	Pavley
Calderon	Goldberg	Longville	Reyes
Canciamilla	Hancock	Lowenthal	Ridley-Thomas
Chan	Harman	Maldonado	Salinas
Chavez	Horton, Jerome	Matthews	Simitian
Chu	Horton, Shirley	Montanez	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Kehoe	Nakano	Wiggins
Correa	Koretz	Nation	Wolk
Diaz	Laird	Negrete McLeod	Yee
Dutra	Leno	Nunez	
Dymally	Levine	Oropeza	

NOES—28

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Plescia
Benoit	Garcia	Maddox	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Houston	McCarthy	Spitzer
Cogdill	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 338 (Levine)—An act to add Section 42703 to the Public Resources Code, relating to recycling.

Bill read third time, and passed by the following vote:

AYES—54

Berg	Frommer	Longville	Pavley
Bermudez	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maddox	Ridley-Thomas
Canciamilla	Harman	Maldonado	Salinas
Chan	Horton, Jerome	Matthews	Simitian
Chavez	Horton, Shirley	Montanez	Spitzer
Chu	Jackson	Mullin	Steinberg
Cohn	Kehoe	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Wyland
Dutra	Levine	Oropeza	Yee
Dymally	Lieber	Pacheco	
Firebaugh	Liu	Parra	

NOES—24

Aghazarian	Daucher	La Malfa	Nakanishi
Bates	Dutton	La Suer	Plescia
Bogh	Garcia	Leslie	Richman
Campbell	Haynes	Maze	Runner
Cogdill	Houston	McCarthy	Samuelian
Cox	Keene	Mountjoy	Strickland

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 406 (Jackson)—An act to amend Sections 21089, and 21160 of and to add Section 21099 to, the Public Resources Code, relating to environmental quality.

Bill read third time, and passed by the following vote:

AYES—43

Berg	Dymally	Levine	Pavley
Bermudez	Firebaugh	Lieber	Reyes
Calderon	Frommer	Liu	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Montanez	Simitian
Chavez	Horton, Jerome	Mullin	Steinberg
Chu	Jackson	Nakano	Vargas
Cohn	Kehoe	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	

NOES—33

Aghazarian	Garcia	Maddox	Plescia
Bates	Harman	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Cox	La Malfa	Nakanishi	
Daucher	La Suer	Pacheco	
Dutton	Leslie	Parra	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 614 (Lowenthal)—An act relating to athletic trainers.

Bill read third time, and passed by the following vote:

AYES—76

Aghazarian	Dutton	Levine	Pacheco
Bates	Dymally	Lieber	Parra
Benoit	Firebaugh	Liu	Pavley
Berg	Frommer	Longville	Plescia
Bermudez	Garcia	Lowenthal	Reyes
Bogh	Goldberg	Maddox	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Harman	Matthews	Runner
Chan	Horton, Jerome	Maze	Salinas
Chavez	Horton, Shirley	McCarthy	Samuelian
Chu	Houston	Montanez	Simitian
Cogdill	Jackson	Mountjoy	Spitzer
Cohn	Keene	Mullin	Steinberg
Corbett	Kehoe	Nakanishi	Strickland
Correa	Koretz	Nakano	Vargas
Cox	La Malfa	Nation	Wiggins
Daucher	Laird	Negrete McLeod	Wolk
Diaz	Leno	Nunez	Wyland
Dutra	Leslie	Oropeza	Yee

NOES—3

Campbell	Haynes	La Suer
----------	--------	---------

Bill ordered transmitted to the Senate.

**At 12:41 p.m., Assistant Speaker pro Tempore Leland Y. Yee,
12th District, presiding**

ASSEMBLY BILL NO. 1224 (Diaz)—An act relating to sex offender registration, and making an appropriation therefor.

Bill read third time, and passed by the following vote:

AYES—77

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Harman	Maldonado	Runner
Calderon	Haynes	Matthews	Salinas
Campbell	Horton, Jerome	Maze	Samuelian
Canciamilla	Horton, Shirley	McCarthy	Simitian
Chan	Houston	Montanez	Spitzer
Chavez	Jackson	Mountjoy	Steinberg
Chu	Keene	Mullin	Strickland
Cogdill	Kehoe	Nakanishi	Vargas
Cohn	Koretz	Nakano	Wiggins
Corbett	La Malfa	Nation	Wolk
Correa	La Suer	Negrete McLeod	Wyland
Cox	Laird	Nunez	Yee
Daucher	Leno	Oropeza	
Diaz	Leslie	Pacheco	
Dutra	Levine	Parra	

NOES—1

Goldberg

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 1224: Assembly Member Ridley-Thomas, from “No” to “Aye”.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 129 (Cohn)—An act to amend Section 241.1 of, and to add Section 241.2 to, the Welfare and Institutions Code, relating to the juvenile court.

Bill read third time, and passed 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	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	

NOES—None

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1520 (Kehoe)—An act to add Chapter 8.7 (commencing with Section 1370) to Division 6 of the Military and Veterans Code, relating to veterans' memorials.

Bill read third time.

Point of Order

Assembly Member Cox arose to the following point of order:

There is no order on the Floor.

Ruling by Assistant Speaker pro Tempore Yee

The Assistant Speaker pro Tempore ruled the point of order well-taken.

Point of Personal Privilege

Assembly Member Mountjoy arose to a point of personal privilege.

Ruling by Assistant Speaker pro Tempore Yee

The Assistant Speaker pro Tempore ruled the point of order not well-taken; that Assembly Member Mountjoy's name was not mentioned in debate.

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—47

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	

NOES—31

Aghazarian	Dutton	La Suer	Plescia
Bates	Garcia	Leslie	Richman
Benoit	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Mountjoy	Strickland
Cox	Keene	Nakanishi	Wyland
Daucher	La Malfa	Pacheco	

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1510 (Kehoe)—An act to add Sections 195.89, 195.90, and 195.91 to the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, 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—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	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	

NOES—None

The question being on the passage of the bill.

Bill passed 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	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	

NOES—None

Bill ordered transmitted to the Senate.

At 1:22 p.m., Speaker pro Tempore Christine Kehoe, 76th District, presiding

ASSEMBLY BILL NO. 858 (Goldberg)—An act to add Article 3.5 (commencing with Section 221.2) to Chapter 2 of Part 1 of the Education Code, relating to schools.

Bill read third time.

Point of Order

Assembly Member Vargas arose to the following point of order:

Assembly Member Cox is not limiting debate to matters within the purview of the California State Legislature.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order well-taken.

Point of Order

Assembly Member Mountjoy arose to the following point of order:
Assembly Member Longville is not limiting debate to the merits of
Assembly Bill No. 858.

Ruling by Speaker pro Tempore Kehoe

The Speaker pro Tempore ruled the point of order not well-taken.

Motion to Appeal from the Decision of the Chair

Assembly Member Mountjoy moved to appeal from the decision of
the Chair.

Assembly Member La Suer seconded the motion.

Appeal Withdrawn

With the consent of the second to the motion, Assembly Member
Mountjoy withdrew his appeal from the decision of the Chair.

The question being on the passage of the bill.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Bogh
moved a call of the Assembly.

Motion carried. Time, 2 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in
the absent Members.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 624**

At 2:01 p.m., on motion of Assembly Member Lieber, and in the
absence of any objection, further proceedings under the call of the
Assembly were dispensed with.

Assembly Bill No. 624 refused passage by the following vote:

AYES—31

Berg	Goldberg	Lieber	Pavley
Chan	Hancock	Liu	Reyes
Chu	Jackson	Longville	Ridley-Thomas
Corbett	Kehoe	Lowenthal	Simitian
Diaz	Koretz	Mullin	Steinberg
Dutra	Laird	Nation	Vargas
Dymally	Leno	Nunez	Wiggins
Firebaugh	Levine	Oropeza	

NOES—29

Aghazarian	Garcia	Matthews	Richman
Benoit	Haynes	Maze	Runner
Bogh	Houston	McCarthy	Samuelian
Campbell	Keene	Mountjoy	Spitzer
Cogdill	La Malfa	Nakanishi	Strickland
Cox	Leslie	Pacheco	
Daucher	Maddox	Parra	
Dutton	Maldonado	Plescia	

Vote Changes

By unanimous consent, the following vote changes were permitted on Assembly
Bill No. 624: Assembly Members Correa and Negrete McLeod, from "Aye" to
"Not Voting".

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 204**

At 2:01 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 204 passed by the following vote:

AYES—41

Berg	Goldberg	Longville	Ridley-Thomas
Calderon	Hancock	Lowenthal	Salinas
Canciamilla	Harman	Montanez	Simitian
Chan	Horton, Jerome	Mullin	Steinberg
Chavez	Jackson	Nakano	Vargas
Chu	Kehoe	Nation	Wiggins
Corbett	Koretz	Nunez	Wolk
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Parra	
Dymally	Levine	Pavley	
Firebaugh	Lieber	Reyes	

NOES—33

Aghazarian	Dutton	Maddox	Richman
Bates	Garcia	Maldonado	Runner
Benoit	Haynes	Matthews	Samuelian
Bogh	Horton, Shirley	Maze	Spitzer
Campbell	Houston	McCarthy	Strickland
Cogdill	Keene	Mountjoy	Wyland
Correa	La Malfa	Nakanishi	
Cox	La Suer	Pacheco	
Daucher	Leslie	Plescia	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 204: Assembly Member Frommer, from "Aye" to "Not Voting".

Bill ordered transmitted to the Senate.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 848**

At 2:02 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The roll was opened.

Call of the Assembly Continued

Pending the announcement of the vote, Assembly Member Nation moved to continue the call of the Assembly.

Motion carried. Time, 2:02 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 311 (Sher)—An act to amend Section 116365 of the Health and Safety Code, relating to environmental health.

Bill read third time.

Motion to Amend

Assembly Member Liu moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE BILL NO. 31 (Figueroa)—An act to amend Sections 7195 and 7197 of, and to add Sections 7195.5, 7196.2, 7197.5, and 7198.5 to, the Business and Professions Code, relating to home inspections.

Bill read third time.

Motion to Amend

Assembly Member Nation moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

SENATE JOINT RESOLUTION NO. 23 (Ashburn)—Relative to Military base closures.

Resolution read, and presented by Assembly Member Parra.

Members Made Coauthors of Senate Joint Resolution No. 23

Assembly Member Parra was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Joint Resolution No. 23.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, Montanez, Mullin, Nakanishi, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wiggins, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Parra was granted unanimous consent to take up Senate Joint Resolution No. 23, as amended, without reference to print or file.

Consideration of Senate Joint Resolution No. 23, as Amended

SENATE JOINT RESOLUTION NO. 23—Relative to Military base closures.

Resolution read, as amended, 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	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	

NOES—None

Resolution ordered transmitted to the Senate.

SENATE BILL NO. 678 (Ortiz)—An act to amend Sections 101315 and 101317 of, and to repeal Article 6 (commencing with Section 101315) of Chapter 3 of Part 3 of Division 101 of, the Health and Safety Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Assembly Member Richman moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 539 (Laird)—An act to amend Sections 1725 and 1766 of the Business and Professions Code, relating to healing arts, and making an appropriation therefor.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—77

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Lieber	Plescia
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Calderon	Hancock	Matthews	Salinas
Campbell	Harman	Maze	Samuelian
Canciamilla	Horton; Jerome	McCarthy	Simitian
Chan	Horton; Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Yee
Daucher	Laird	Oropeza	
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

NOES—None

Above bill ordered enrolled.

(NOTE: On June 7, 2004, the action was rescinded whereby the Assembly concurred in Senate amendments to Assembly Bill No. 539 and whereby the bill was ordered enrolled. See page 6265.)

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 848**

At 2:14 p.m., on motion of Assembly Member Nation, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 848 refused passage by the following vote:

AYES—36

Berg	Goldberg	Liu	Pavley
Chan	Hancock	Longville	Reyes
Chavez	Jackson	Lowenthal	Ridley-Thomas
Chu	Kehoe	Montanez	Salinas
Corbett	Koretz	Mullin	Simitian
Diaz	Laird	Nakano	Steinberg
Dymally	Leno	Nation	Wiggins
Firebaugh	Levine	Nunez	Wolk
Frommer	Lieber	Oropeza	Yee

NOES—36

Aghazarian	Daucher	La Suer	Pacheco
Bates	Dutton	Leslie	Parra
Benoit	Garcia	Maddox	Plescia
Bogh	Harman	Maldonado	Richman
Campbell	Haynes	Matthews	Runner
Canciamilla	Horton; Shirley	Maze	Samuelian
Cogdill	Houston	McCarthy	Spitzer
Correa	Keene	Mountjoy	Strickland
Cox	La Malfa	Nakanishi	Wyland

**CALL OF THE ASSEMBLY DISPENSED WITH ON
ASSEMBLY BILL NO. 858**

At 2:14 p.m., on motion of Assembly Member Bogh, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

Assembly Bill No. 858 passed by the following vote:

AYES—43

Berg	Firebaugh	Levine	Pavley
Bermudez	Frommer	Lieber	Reyes
Calderon	Garcia	Longville	Ridley-Thomas
Chan	Goldberg	Lowenthal	Salinas
Chavez	Hancock	Montanez	Simitian
Chu	Horton, Jerome	Mullin	Steinberg
Cohn	Jackson	Nakano	Vargas
Corbett	Kehoe	Nation	Wiggins
Diaz	Koretz	Negrete McLeod	Wolk
Dutra	Laird	Nunez	Yee
Dymally	Leno	Oropeza	

NOES—23

Aghazarian	Dutton	Liu	Richman
Bates	Harman	Maldonado	Runner
Bogh	Haynes	Maze	Samuelian
Campbell	Horton, Shirley	Mountjoy	Strickland
Cox	La Malfa	Pacheco	Wyland
Daucher	La Suer	Plescia	

Bill ordered transmitted to the Senate.

JOINT RULE 62(a) WAIVED

Assembly Member Firebaugh was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bill No. 772 for hearing in the Committee on Utilities and Commerce on Monday, February 2, 2004.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Consent Calendar: Bates, Bermudez, Canciamilla, Corbett, Frommer, Jerome Horton, Shirley Horton, Houston, Keene, Maddox, Maldonado, Oropeza, Pacheco, Plescia, Richman, Strickland, Wiggins, Wyland, and Yee—Aye.

Assembly Bill No. 1740: Canciamilla, Frommer, Jerome Horton, Houston, Keene, Maddox, Maldonado, Oropeza, Pacheco, Simitian, Strickland, and Wiggins—Aye.

Assembly Bill No. 252: Canciamilla, Correa, Diaz, Frommer, Jerome Horton, Houston, Keene, Maddox, Maldonado, and Strickland—Aye.

Assembly Bill No. 476: Aghazarian, Canciamilla, Frommer, Jerome Horton, Keene, Leslie, Maddox, and Maldonado—Aye.

Assembly Bill No. 537: Calderon, Canciamilla, Chavez, Frommer, Jerome Horton, Lieber, Maddox, Maldonado, and Strickland—Aye.

Assembly Bill No. 269: Canciamilla, Correa, Frommer, Jerome Horton, Lieber, Maddox, Maldonado, Plescia, and Strickland—Aye.

Assembly Bill No. 124 and Urgency: Canciamilla, Correa, Frommer, Hancock, Jerome Horton, Koretz, Maddox, Maldonado, and Strickland—Aye.

Assembly Bill No. 152: Canciamilla, Correa, Frommer, Jerome Horton, Koretz, Maddox, Maldonado, and Mountjoy—Aye.

Assembly Bill No. 854: Cohn, Frommer, and Jerome Horton—Aye; Bates, Houston, Maddox, and Maldonado—No.

Assembly Bill No. 242: Frommer, Garcia, Goldberg, and Jerome Horton—Aye; Haynes and Maddox—No.

Assembly Bill No. 321 and Urgency: Calderon, Canciamilla, Correa, Frommer, Haynes, Jerome Horton, Koretz, Maldonado, and Simitian—Aye.

Assembly Bill No. 392: Correa, Frommer, Jerome Horton, Lieber, and Maldonado—Aye; Canciamilla and Haynes—No.

Assembly Bill No. 750: Chavez, Frommer, Hancock, Jerome Horton, Maldonado, and Nakano—Aye; Cox—No.

Assembly Bill No. 1175: Frommer, Jerome Horton, Maldonado, Pacheco, and Plescia—Aye; Haynes, Leslie, and Mountjoy—No.

Assembly Bill No. 56: Correa and Garcia—Aye; Maddox and Plescia—No.

Assembly Bill No. 1550: Yee—Aye; Bogh and Garcia—No.

Assembly Bill No. 1699: Bogh, Correa, Garcia, Maddox, Mountjoy, and Wyland—No.

Assembly Bill No. 1564: Bates, Bermudez, Lieber, Maldonado, Oropeza, and Ridley-Thomas—Aye; Maddox—No.

Assembly Bill No. 672: Garcia, Houston, and Lieber—Aye; Bogh, Maddox, Mountjoy, and Wyland—No.

Assembly Bill No. 868: Bogh, Daucher, Garcia, La Malfa, Maddox, McCarthy, Montanez, Mountjoy, and Oropeza—Aye.

Assembly Bill No. 1466: Correa—Aye; Bogh—No.

Assembly Bill No. 338: Shirley Horton and Maddox—Aye; Daucher, Garcia, Houston, La Malfa, and Nakanishi—No.

Assembly Bill No. 406: Oropeza—Aye; Haynes—No.

Assembly Bill No. 614: Bogh, Canciamilla, Laird, Maldonado, Plescia, and Wyland—Aye; Haynes—No.

Assembly Bill No. 1224: Canciamilla, Haynes, Pacheco, Plescia, and Wyland—Aye.

Assembly Bill No. 129: Canciamilla and Pacheco—Aye.

Assembly Bill No. 1520: Canciamilla and Correa—Aye; Bates, Houston, and Runner—No.

Assembly Bill No. 1510 and Urgency: Canciamilla, Harman, and Maze—Aye.

Assembly Bill No. 204: Maldonado—No.

Senate Joint Resolution No. 23: Goldberg and Shirley Horton—Aye.

Assembly Bill No. 858: Shirley Horton, La Malfa, and Wyland—No.

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 Sarah Lavoie, of Yountville.

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 Spc. Jason K. Chappell, of Hemet.

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 Jack Paar, of Greenwich, Connecticut.

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 Claire Kidwell, of Camarillo.

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tasker Edmiston, of Monterey Park.

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 Patty Mendez, of San Francisco.

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 Helen Bruni English, of St. Helena.

MOTION TO ADJOURN

At 2:16 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Runner seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:16 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Speaker pro Tempore Kehoe introduced former Assembly Member Anthony Pescetti.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh the Assembly adjourned until 12 noon, Monday, February 2, 2004, out of respect to the memory of Sarah Lavoie, on motion of Assembly Member Wiggins; out of respect to the memory of Spc. Jason K. Chappell, on motion of Assembly Member Bogh; out of respect to the memory of Jack Paar, on motion of Assembly Member Longville; out of respect to the memory of Claire Kidwell, on motion of Assembly Member Levine; out of respect to the memory of Tasker Edmiston, on motion of Assembly Member Pavley; out of respect to the memory of Patty Mendez, on motion of Assembly Member Longville; and out of respect to the memory of Helen Bruni English, on motion of Assembly Member Wiggins.

CHRISTINE KEHOE, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 29, 2004**

The following measures were amended in the Assembly on this day:

SB	RN
31	0401516
311	0401719
678	0400676
772	0402599

Daily Total:	4
Cumulative Total:	3158

CALIFORNIA LEGISLATURE
2005–06 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 2, 2004

**ONE HUNDRED FORTY-FIFTH SESSION DAY
FOUR HUNDRED TWENTY-EIGHTH 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, February 2, 2004

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 12:23 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—77:

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	Liu	Plescía
Benoit	Firebaugh	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Simitian
Chan	Horton, Shirley	Montanez	Spitzer
Chavez	Houston	Mountjoy	Steinberg
Chu	Jackson	Mullin	Strickland
Cogdill	Keene	Nakanishi	Vargas
Cohn	Kehoe	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	La Suer	Nunez	Mr. Speaker
Daucher	Laird	Oropeza	
Diaz	Leno	Pacheco	
Dutra	Levine	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, We have been created for greater things. We have not been created to pass through this life without aim. Lord, we acknowledge that it is You who have made us for greater things. So we ask, heavenly Father, that You fill us continually with spiritual food and strength, so that we do not die of spiritual starvation. Help us to love and to be loved and to remember always to pray together.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Firebaugh 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 Firebaugh, 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 legislative business: Assembly Members Frommer and Leslie.

Because of illness: Assembly Member Yee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 30, 2004

The Honorable Herb Wesson, Jr.

Speaker of the Assembly

State Capitol Building, Room 219

Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on Monday, February 2, 2004. I have a press conference scheduled in my District Office.

Thank you for your attention to this request. If you have any questions, please telephone my scheduler, Maria Campos, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

January 8, 2004

*The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219*

Dear Mr. Speaker: Please excuse me from check-in/floor session on February 2, 2004–February 5, 2004, as I will be on legislative business. I will be leading a delegation to Washington D.C. for a series of critical meetings affecting the 4th Assembly District. We will be meeting with members of Congress, key legislative staff and officials of the Administration.

Should you have any questions, please contact my office at (916) 319-2004.

Sincerely,

TIM LESLIE, Assembly Member
Fourth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 2, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember John Longville to replace Assemblymember Manny Diaz on the Assembly Utilities and Commerce Committee for today's hearing only.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1856—Maze. An act to amend Section 7097 of, and to add Sections 7098 and 7099 to, the Government Code, and to amend Sections 17053.33, 17053.34, 17267.6, 17276.6, 23633, 23634, 24356.6, and 24416.6 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1857—Koretz. An act to add Section 597.6 to the Penal Code, relating to animals.

ASSEMBLY BILL NO. 1858—Steinberg. An act to add Sections 56160 and 56161 to the Education Code, relating to special education.

ASSEMBLY BILL NO. 1859—Nakano. An act to add Section 17350.5 to the Corporations Code and to amend Section 17945 of the Revenue and Taxation Code, relating to limited liability companies.

ASSEMBLY BILL NO. 1860—Reyes. An act to amend Section 47605 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 1861—Maze. An act to add Section 14908 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1862—Haynes. An act to amend Section 13320 of the Government Code, relating to state agency finances.

ASSEMBLY BILL NO. 1863—Harman. An act to amend Section 25506 of the Corporations Code, relating to securities.

ASSEMBLY BILL NO. 1864—Negrete McLeod. An act to amend Sections 171b, 171.5, and 626.10 of the Penal Code, relating to BB guns.

ASSEMBLY BILL NO. 1865—Spitzer and Bermudez. An act to add Section 3069 to the Penal Code, relating to parole.

ASSEMBLY BILL NO. 1866—Leno. An act to add Sections 2602 and 2603 to the Penal Code, relating to prisoners.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 169—Koretz. Relative to Postpartum Mood and Anxiety Disorder Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 170—Pacheco. Relative to youth organizations.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1810 -----	B. & F.
1819 -----	Higher Ed. and Ed.
1822 -----	Health
1823 -----	Nat. Res.
1824 -----	Trans.
1826 -----	Pub. S.
1828 -----	Trans.
1829 -----	B. & P.
1831 -----	G.O.
1832 -----	Ed.
1833 -----	U. & C.
1837 -----	Nat. Res.
1840 -----	Ins.
1841 -----	Ed.

Senate

<i>Bill No.</i>	<i>Committee</i>
815 -----	Budget
1086 -----	L. Gov.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Health, on Wednesday, February 4, 2004, at 10:30 a.m., in Los Angeles;

Jobs, Economic Development and the Economy, on Friday, February 27, 2004, at 10:30 a.m., in Los Angeles.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: February 2, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 160

Assembly Concurrent Resolution No. 165

With the recommendation: Be adopted.

NATION, Chair

Above resolutions ordered to third reading.

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 323

Assembly Member Parra was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 323; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on January 23, 2004 (Assembly Journal, page 4352); and whereby on January 22, 2004 (Assembly Journal, page 4323), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

REQUEST FOR PHOTOGRAPHER

Speaker Wesson was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

JOINT RULE 62(a) WAIVED

Assembly Member Chan was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of permitting the Committee on Health to meet on Wednesday, February 4, 2004, in Los Angeles; and to permit the Committee on Budget to meet on Wednesday, February 4, 2004.

ADJOURN IN MEMORY

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 Barry Williams, of Corte Madera.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY**Moment of Silence**

Assembly Members Correa and Spitzer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Westminster Police Officer Steven Phillips, of Corona; and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Lieber was granted unanimous consent that the Governor's veto of Assembly Bill No. 436 be stricken from file.

**SPECIAL ORDER OF BUSINESS
CEREMONY IN HONOR OF SPEAKER HERB J. WESSON, JR.
HOUSE RESOLUTION NO. 41**

The hour of 12:30 p.m. having arrived, a special ceremony to honor Speaker Herb J. Wesson, Jr. was convened.

Special Introductions

Speaker pro Tempore Kehoe introduced Speaker Wesson's family members: his wife Fabian Wesson, their son Herb Wesson, III, and his mother and stepfather, Gladys Wesson-Strickland and Lethard Strickland.

Video Presentation

The Assembly viewed a video presentation relative to honoring Speaker Herb J. Wesson, Jr.

Consideration of Special Order—House Resolution No. 41

HOUSE RESOLUTION NO. 41—Relative to commending the Honorable Herb J. Wesson, Jr.

Resolution read, and adopted.

Special Presentation

Assembly Member Jackson made a special presentation to Speaker Wesson.

Select Committee on Escort Appointed

Speaker pro Tempore Kehoe appointed Assembly Members Firebaugh, Nunez, Steinberg, Cox, Chu, Nakano, La Suer, Negrete McLeod, Mountjoy, and Reyes as a Select Committee on Escort to escort Speaker Herb J. Wesson, Jr. to the Rostrum.

Special Presentations

Assembly Member Firebaugh presented a resolution to Speaker Wesson, whereupon a special presentation was also made by Assembly Speaker-elect Fabian Nunez.

Address by Speaker Wesson

Speaker Herb J. Wesson, Jr. then addressed the Body.

Concluding Remarks

At 3:19 p.m., Speaker pro Tempore Kehoe offered remarks concluding the special ceremony.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Dutra announced that the Committee on Transportation would meet today, at 3:30 p.m., in Room 4202.

Assembly Member Reyes announced that the Committee on Utilities and Commerce would meet today, at 3:30 p.m.

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 Glenn Klein, of Windsor.

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 Joe Phillips, of Stockton.

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 Roy Kropke, of Monrovia.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 1005 and 131 were continued until Thursday, February 5, 2004.

MOTION TO ADJOURN

At 3:20 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Benoit seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 3:20 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 2, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1740

And reports the same correctly enrolled, and presented to the Governor on the 2nd day of February, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, February 2, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 141

Assembly Concurrent Resolution No. 143

Assembly Concurrent Resolution No. 155

Assembly Concurrent Resolution No. 157

Assembly Concurrent Resolution No. 158

And reports the same correctly enrolled, and presented to the Secretary of State on the 2nd day of February, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Tuesday, February 3, 2004, out of respect to the memory of Barry Williams, on motion of Assembly Member Nation; out of respect to the memory of Officer Steven Phillips, on motion of Assembly Members Correa and Spitzer; out of respect to the memory of Joe Phillips, on motion of Assembly Member Matthews; out of respect to the memory of Glenn Klein, on motion of Assembly Member Berg; and out of respect to the memory of Roy Kropke, on motion of Assembly Member Mountjoy.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 3, 2004

**ONE HUNDRED FORTY-SIXTH SESSION DAY
FOUR HUNDRED TWENTY-NINTH 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
Tuesday, February 3, 2004

The Assembly met at 7 a.m.

Hon. Mervyn M. Dymally, Assembly Member, 52nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

Aghazarian	Dutton	Leno	Pacheco
Bates	Dymally	Levine	Parra
Benoit	Firebaugh	Liu	Pavley
Berg	Frommer	Longville	Plescia
Bermudez	Garcia	Lowenthal	Reyes
Bogh	Goldberg	Maddox	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Harman	Matthews	Runner
Chan	Haynes	Maze	Salinas
Chavez	Horton, Jerome	McCarthy	Samuelian
Chu	Horton, Shirley	Montanez	Spitzer
Cogdill	Houston	Mountjoy	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Keene	Nakanishi	Wiggins
Correa	Kehoe	Nakano	Wyland
Cox	Koretz	Nation	Mr. Speaker
Daucher	La Malfa	Negrete McLeod	
Diaz	La Suer	Nunez	
Dutra	Laird	Oropeza	

Quorum present.

At 12:39 p.m., Hon. Patricia Wiggins, 7th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Leslie, Lieber, and Simitian.

On personal business, and waiving per diem: Assembly Members Campbell and Strickland.

Because of illness: Assembly Members Wolk and Yee.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 2, 2004

*The Honorable Herb Wesson
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: I would like to be excused from check-in session on February 3, 2004, due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Matt Moretti at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

January 26, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Tuesday, February 3, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 2, 2004.)

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-108.2
January 27, 2004

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As required by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the medical costs related to the workers' compensation insurance system and the extent to which the payment structure has resulted in unacceptably high reimbursement rates.

This report concludes that reforms to the workers' compensation medical payment system mandated by Chapter 639, Statutes of 2003, effective January 1, 2004, will produce substantial savings in the form of lower payments for nonhospital outpatient surgical facilities (surgical

centers) and pharmaceuticals if those reforms are carefully implemented. Our analysis indicates that had similar reforms been in place during 2002, the State Compensation Insurance Fund (State Fund) could have saved anywhere from \$7.8 million to \$8.9 million of the amount it paid to surgical centers for facility fees. These savings represent about 54 percent to 61 percent (with a midpoint of \$8.4 million, or 58 percent) of the payments we were able to analyze. We also calculated that State Fund could have saved another \$18 million (or about 24 percent) on the amount it spent on prescription drugs. These conclusions are based on our review of State Fund payments to surgical centers and payments for pharmaceuticals with sufficient detail to allow for analysis. Certain features of the data contained in State Fund's medical bill review file limited our review to \$14.5 million of the \$43 million in identifiable payments to surgical centers made in 2002. Our analysis was limited because data entered into State Fund's medical bill review file were often incomplete or summarized without retaining unique identifiers, and the database design prevented detailed analysis. Based on our analysis of State Fund's data and the results of an insurer survey conducted by the Division of Workers' Compensation (division), the condition of State Fund's and other insurers' data presents challenges to the division's efforts to develop a comprehensive database of workers' compensation medical information that will allow it to monitor the workers' compensation insurance system and measure the effects of policy changes on the system's performance and costs.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Insurance.

REPORTS

The following reports were presented by the Chief Clerk:

**2004 Report on the Safe at Home Confidential Address Program
(Pursuant to Government Code Section 6210)**

Above transmitted report, together with letter of transmittal from Kevin Shelley, Secretary of State, dated January 9, 2004, referred by the Speaker to the Committee on Public Safety.

**A Report on Legislation Enacted in 2002
with State-Mandated Local Program Implications
(Pursuant to Government Code Section 17562 (e)(3))**

Above transmitted report, together with letter of transmittal from Michael C. Genest, Chief Deputy Director, Department of Finance, dated January 16, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**Status of the California Low Cost Automobile Insurance Program
(Pursuant to Insurance Code Section 11629.7 through 11629.85)**

Above transmitted report, together with letter of transmittal from Richard J. Manning, CAARP Regional Director, California Automobile Assigned Risk Plan, dated January 21, 2004, referred by the Speaker to the Committee on Insurance.

**Semi-Annual Report Concerning the
Public Interest Energy Research Program
(May 1, 2003 through October 31, 2003)
(Pursuant to Public Resources Code Section 25620.5(h))**

Above transmitted report, together with letter of transmittal from John L. Geesman, Commissioner and Associate Member, Research, Development and Demonstration Committee, California Energy Commission, dated January 10, 2004, referred by the Speaker to the Committee on Natural Resources.

**Internal Control Certification Report
(Pursuant to Government Code Sections 13400 through 13407)**

Above transmitted report, together with letter of transmittal from David W. Brown, Chief, Fiscal and Information Services, California State Lands Commission, dated December 31, 2003, referred by the Speaker to the Committee on Natural Resources.

**Snapshots of the Past—Portrait of a New Reality—
Achievements in Conservation, Recycling and Groundwater Recharge
Report for 2003
(Pursuant to Senate Bill 60, Chapter 415, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Kathleen Cole, Legislative Representative, Metropolitan Water District of Southern California, dated January 30, 2004, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Report on Level of Participation of Business Enterprises
(Pursuant to Public Contract Code Section 10116)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission dated December 31, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Denied Mandates
(Pursuant to Government Code Section 17601)**

Above transmitted report, together with letter of transmittal from Paula Higashi, Executive Director, Commission on State Mandates, dated January 15, 2004, referred by the Speaker to the Committee on Budget.

**Law Revision Commission 2003–2004 Annual Report
(Pursuant to Government Code Sections 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, dated January 23, 2004, referred by the Speaker to the Committee on Judiciary.

**California Commission on
Health and Safety and Worker's Compensation
2002–2003 Annual Report
(Pursuant to Labor Code Section 77(a))**

Above transmitted report, together with letter of transmittal from Christine Baker, Executive Officer, Commission on Health and Safety and Worker's Compensation, Department of Industrial Relations, dated January 23, 2004, referred by the Speaker to the Committee on Insurance.

**Certified Disabled Veteran Business Enterprise (DVBE)
Small Business Contracting Activity and/or
Race, Ethnicity, and Gender Business Ownership Reports from:**

California Integrated Waste Management Board, Mark Leary, Executive Director, dated January 12, 2004;

California Lottery, Tina Miranda, Business and Community Relations Office, dated January 14, 2004;

Department of Mental Health, Coalinga State Hospital, Roger Boles, Warehouse Manager;

The Office of Real Estate Appraisers, Anthony F. Majewski, Acting Director, dated January 15, 2004;

California Health and Human Services Agency Data Center, John Moise, Director, dated January 6, 2004;

Military Department, Office of the Adjutant General Paul D. Monroe, Jr., Major General, dated January 12, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

**Surveys of Local Assessment Procedures
(Pursuant to Government Code, Sections 9795 and 15646)**

Humboldt County, August 2003

Kings County, February 2003

Modoc County, August 2003

Monterey County, January 2003

Napa County, January 2003

Riverside County, July 2003

San Benito County, January 2003

Santa Clara County, December 2003

Ventura County, April 2003

Mariposa County, November 2003

Sutter County, December 2003

Yuba County, December 2003

San Mateo County (Supplemental), August 2003

Alameda County (Supplemental), July 2003

Above transmitted reports, together with letter of transmittal from Timothy W. Boyer, Interim Executive Director, State Board of Equalization, dated January 14, 2004, referred by the Speaker to the Committee on Local Government.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Higher Education to convene jointly with the Committee on Education, on Tuesday, February 17, 2004, at 2 p.m.;

Public Safety, on Tuesday, February 24, 2004, at 1:30 p.m.;

Select Committee on Air and Water Quality, on Wednesday, February 25, 2004, at 9:30 a.m., in Room 126 or 127;

Banking and Finance, on Wednesday, March 3, 2004, at 9:30 a.m.;

Select Committee on Urban Youth, on Friday, March 5, 2004, at 10 a.m., in Paramount.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 3, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 160

Assembly Concurrent Resolution No. 165

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1867—Vargas. An act to amend Section 1281 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 1868—Vargas. An act relating to the Department of Insurance.

ASSEMBLY BILL NO. 1869—Maldonado. An act to amend Section 6380 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1870—Maldonado. An act to amend Sections 17314, 17314.1, 17332, and 17345.1 of the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 1871—Nakano. An act to amend Sections 12412.1 and 13337 of the Government Code, relating to the state budget.

ASSEMBLY BILL NO. 1872—Nakano. An act to add Section 60205 to the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 1873—Hancock. An act to amend Sections 42023.1, 42023.2, 42023.4, 42023.5, and 42023.6 of, and to repeal Section 42023.3 of, the Public Resources Code, relating to solid waste, and making an appropriation therefor.

ASSEMBLY BILL NO. 1874—Cohn. An act to add Section 7915 to the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1875—Maldonado. An act to amend Sections 3526, 3529, 3531, 3533, 3534, and 3538 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 1876—Chan (Coauthors: Hancock and Nation). An act to amend Sections 115875, 115880, 115890, and 115915 of, and to repeal Section 115900 of, the Health and Safety Code, relating to public beaches.

**AUTHOR'S AMENDMENTS
Committee on Public Safety**

February 3, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Senate Bill No. 631

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

SENATE BILL NO. 631—An act to amend Section 13903 of the Government Code, and to amend Sections 290.01, 290.4, 1202.45, and 1214 of, to amend, repeal, and add Sections 1202.4 and 2085.5 of, and to add Sections 290.45 and 1202.44 to, the Penal Code, relating to criminal offenders, making an appropriation therefor, 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.

REPORTS OF STANDING COMMITTEES
Committee on Transportation

Date of Hearing: February 2, 2004

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 1618

With the recommendation: That the Senate amendments be concurred in.

DUTRA, Chair

Above bill ordered to unfinished business.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 4, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 3, 2004**

The following measure was amended in the Assembly on this day:

SB RN

631 0400213

Daily Total: 1

Cumulative Total: 3159

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 4, 2004
ONE HUNDRED FORTY-SEVENTH SESSION DAY
FOUR HUNDRED THIRTIETH 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
Wednesday, February 4, 2004

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—64:

Aghazarian	Dymally	Lowenthal	Parra
Bates	Firebaugh	Maddox	Pavley
Benoit	Garcia	Maldonado	Plescia
Berg	Goldberg	Matthews	Reyes
Bermudez	Harman	Maze	Richman
Bogh	Haynes	McCarthy	Runner
Calderon	Horton, Shirley	Montanez	Samuelian
Canciamilla	Jackson	Mountjoy	Spitzer
Chu	Keene	Mullin	Steinberg
Cogdill	Kehoe	Nakanishi	Strickland
Cohn	Koretz	Nakano	Vargas
Correa	La Malfa	Nation	Wiggins
Cox	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Wyland
Dutra	Leno	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker

Quorum present.

At 2:02 p.m., Hon. Sarah Reyes, 31st District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Chavez, Corbett, Daucher, Frommer, Hancock, Jerome E. Horton, Houston, Leslie, Lieber, Longville, Ridley-Thomas, Salinas, and Simitian.

On personal business, and waiving per diem: Assembly Members Campbell and Liu.

Because of illness: Assembly Member Chan.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 2, 2004

The Honorable Herb J. Wesson, Jr.

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker Wesson: I respectfully request that I be excused from Session or Check-in Session on Wednesday, February 4, 2004. The purpose is to attend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

February 3, 2004

The Honorable Herb Wesson

Speaker of the Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday, February 4, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

February 2, 2004

The Honorable Herb Wesson

Speaker of the Assembly

State Capitol, Room 219

Sacramento, California

Dear Speaker Wesson: I hereby request that I be excused from check in session on Wednesday, February 4, 2004 so that I may return to my District on legislative business.

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

February 4, 2004

The Honorable Herb Wesson, Jr.
Speaker of the Assembly
State Capitol Building, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request permission to be excused from session check-in on Wednesday, February 4, 2004. I am in Van Nuys chairing the Assembly Health Committee Hearing.

Thank you for your attention to this request. If you have any questions, please telephone my scheduler, Maria Campos, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member
Forty-third District

February 3, 2004

The Honorable Herb Wesson, Jr.
Speaker of the Assembly
Room 219
State Capitol

Dear Mr. Speaker: I respectfully request an excused absence from Check-In Session on February 4, 2004. I have been invited to participate in an urban design conference in Charleston, South Carolina.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

February 2, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Wednesday, February 4, 2004, due to legislative business in my district. I will return to Sacramento on Thursday, February 5, 2004, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

February 2, 2004

*The Honorable Herb Wesson
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, February 4, 2004 for legislative meetings in my district.

If you have any questions, please contact Sarah Sprouse in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

February 3, 2004

*The Honorable Herb Wesson
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Wesson: I would like to be excused from check-in session on February 4, 2004, due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Matt Moretti at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

February 4, 2004

*The Honorable Herb Wesson
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request approval to be excused from Session on legislative business on February 4, 2004. I will be returning back to Sacramento on February 5th for Assembly Session.

Thank you for your consideration of this request. If your staff should have any questions or require further information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

February 4, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I write to request permission to travel to Burbank for the purpose of attending the Assembly Health Committee informational hearing on February 4, 2004 and be excused from check in session on legislative business.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado, at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

February 2, 2004

The Honorable Herb J. Wesson, Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am writing to respectfully request to be excused for Check-In on February 4, 2004. I am committed to speak with a group of constituents in my district office.

If you have any questions about this request, please feel free to contact Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

January 26, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Wednesday, February 4, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 2, 2004.)

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1877—Maze. An act to amend Section 12814.6 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1878—Chan. An act to amend Sections 407.5, 4000, 12500, 12509, 12804.9, 21224, 21225, and 21235 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1879—Reyes. An act to amend Section 47601 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 1880—Maze. An act to add Section 66025.7 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1881—Berg (Coauthors: Chan and Hancock) (Coauthors: Senators Chesbro, Perata, and Torlakson). An act to amend Sections 18986.86 and 18986.87 of, and to repeal Section 18986.88 of, the Welfare and Institutions Code, relating to health and human services.

ASSEMBLY BILL NO. 1882—Jerome Horton. An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 171—Maze. Relative to Vietnam War veterans.

ASSEMBLY CONCURRENT RESOLUTION NO. 172—Nakano, Shirley Horton, and Nakanishi (Principal coauthors: Chan, Chu, Liu, and Yee). Relative to a Day of Remembrance.

AUTHOR'S AMENDMENTS

Committee on Revenue and Taxation

February 4, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 438

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

SENATE BILL NO. 438—An act to amend Section 8686 of the Government Code, and to amend Sections 17207 and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, 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.

REPORTS OF STANDING COMMITTEES

Committee on Utilities and Commerce

Date of Hearing: February 2, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 772

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

REYES, Chair

Above bill re-referred to the Committee on Appropriations.

ADJOURNMENT

At 3:50 p.m., the Assembly adjourned until 9 a.m., Thursday, February 5, 2004.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 4, 2004**

The following measure was amended in the Assembly on this day:

SB RN
438 0405466

Daily Total: 1
Cumulative Total: 3160

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 5, 2004

**ONE HUNDRED FORTY-EIGHTH SESSION DAY
FOUR HUNDRED THIRTY-FIRST 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, February 5, 2004

The Assembly met at 9 a.m.
Hon. Leland Y. Yee, Assistant 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 Goldberg moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:16 a.m., Assistant Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—70:

Aghazarian	Dutra	Lieber	Pavley
Bates	Dymally	Longville	Reyes
Benoit	Firebaugh	Lowenthal	Richman
Berg	Frommer	Maldonado	Ridley-Thomas
Bermudez	Garcia	Matthews	Runner
Bogh	Goldberg	Maze	Samuelian
Calderon	Harman	McCarthy	Simitian
Canciamilla	Haynes	Montanez	Spitzer
Chan	Horton, Jerome	Mountjoy	Steinberg
Chavez	Horton, Shirley	Mullin	Strickland
Chu	Houston	Nakanishi	Vargas
Cogdill	Jackson	Nakano	Wiggins
Cohn	Keene	Nation	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Malfa	Nunez	Yee
Cox	Laird	Oropeza	Mr. Speaker
Daucher	Leno	Pacheco	
Diaz	Levine	Parra	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Yee, the following prayer was offered by Alternate Chaplain Pastor Ivan L. Williams, Sr.:

O God, In these uncertain times, we are most grateful for and dependent upon Your certainty. We trust You to guide our deliberations here today and seek Your wisdom for the best decisions to be made. Thank You, O God, for giving our forefathers a foundation that is sure and strong, and as we continue to build today, may we follow Your will and purpose in these government halls for the people and by the people in Your name we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Yee, Assembly Member Dymally 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 legislative business: Assembly Members Dutton, Hancock, Kehoe, La Suer, Leslie, Maddox, and Salinas.

On personal business, and waiving per diem: Assembly Members Campbell, Liu, and Plescia.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 30, 2004

*Assemblyman Herb Wesson, Jr.
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby request permission to be excused from session on Thursday, February 5, 2004, to attend the Governor's Blue Ribbon Fire Commission in Riverside. I have been appointed by the Governor to sit on the Commission.

Thank you for your cooperation in this matter.

Sincerely,

BOB DUTTON, Assembly Member
Sixty-third District

January 15, 2004

The Honorable Herb Wesson, Jr.
Speaker of the Assembly
Room 219
State Capitol

Dear Mr. Speaker: I respectfully request an excused absence from Session on February 5, 2004. I have been invited to participate in an urban design conference in Charleston, South Carolina.

Sincerely,

LONI HANCOCK, Assembly Member
 Fourteenth District

January 28, 2004

The Honorable Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, February 5, 2004 due to legislative business.

I am a Member of the Blue Ribbon Fire Commission and wish to attend the next Commission meeting held in Riverside, California.

Thank you for your consideration in this request.

Sincerely,

CHRISTINE KEHOE
 Speaker pro Tempore

February 4, 2004

The Honorable Herb J. Wesson, Jr.
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California

Dear Mr. Speaker: I need to be excused from legislative session tomorrow, February 5, on legislative business to attend the Governor's Blue Ribbon Fire Commission meeting, which I have recently been appointed to in Riverside, CA.

Thank you for your assistance to this matter.

Sincerely,

JAY LA SUER, Assembly Member
 Seventy-seventh District

February 2, 2004

The Honorable Herb Wesson
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, February 5th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDUX, Assembly Member
 Sixty-eighth District

February 3, 2004

*The Honorable Herb J. Wesson, Jr.
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to respectfully request to be excused from Floor Session on Thursday, February 5, 2004. I am committed to speak with a group of constituents in my district office.

If you have any questions about this request, please feel free to contact Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

(NOTE: For letter explaining the absence of Assembly Member Leslie on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 2, 2004.)

COMMUNICATIONS

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated January 20, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Tribal Gaming Compact Renegotiation.

Non-Tribal Commercial Gambling Expansion. Revenues, Tax Exemptions. Initiative Constitutional Amendment and Statute. SA 2003RF0059

Referred by the Speaker to the Committees on Governmental Organization and Revenue and Taxation.

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated January 28, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

State Teachers' Retirement. Benefits.

Initiative Statute. SA 2003RF0062

Referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 3, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

DNA Samples. Collection. Database. Funding.

Initiative Statute. SA 2003RF0065

Referred by the Speaker to the Committee on Public Safety.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1883—Harman. An act to amend Section 15602 of the Probate Code, relating to trusts.

ASSEMBLY BILL NO. 1884—Spitzer. An act to amend Section 633 of the Penal Code, relating to privacy.

ASSEMBLY BILL NO. 1885—Corbett. An act to add Article 7 (commencing with Section 9913) to Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code, relating to employment.

ASSEMBLY BILL NO. 1886—Pavley (Principal coauthor: Leslie) (Coauthors: Bermudez, Diaz, Dymally, and Mullin) (Coauthor: Senator Kuehl). An act to amend Sections 20583, 20585, and 20602 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1887—Nakanishi. An act to amend Section 13534 of the Business and Professions Code, relating to motor fuel advertising.

ASSEMBLY BILL NO. 1888—Nakanishi. An act to add Sections 17267, 17267.5, and 24343.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1889—Chu. An act to repeal Section 367.7 of the Public Utilities Code, relating to electrical restructuring.

ASSEMBLY BILL NO. 1890—Haynes. An act to amend Section 33129 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 1891—Haynes. An act to add Section 2077.2 to the Insurance Code, relating to homeowners' insurance.

ASSEMBLY BILL NO. 1892—Haynes. An act relating to the Healthy Families Program.

ASSEMBLY BILL NO. 1893—Haynes. An act to amend Section 66003 of the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 1894—Longville. An act to add Section 1536.5 to the Penal Code, relating to business records.

ASSEMBLY BILL NO. 1895—Nation. An act to amend Sections 317, 634, and 727 of, and to add Section 366.31 to, the Welfare and Institutions Code, relating to immigrant children.

ASSEMBLY BILL NO. 1896—Jerome Horton. An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 60—Lieber and Leno (Coauthors: Chan, Chu, Diaz, Dymally, Goldberg, Hancock, Kehoe, Koretz, Laird, Liu, Longville, Nation, Pavley, Ridley-Thomas, Vargas, Wiggins, and Yee) (Coauthors: Senators Escutia and Kuehl). Relative to immigration.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1811 -----	Jud.
1825 -----	L. & E. and Jud.
1827 -----	L. Gov. and G.O.
1836 -----	H. & C.D. and Jud.
1842 -----	Pub. S.

Senate

<i>Bill No.</i>	<i>Committee</i>
29 -----	Health
76 -----	Ed.
102 -----	P.E.,R. & S.S.
218 -----	Nat. Res.
301 -----	B. & P.
379 -----	Health
427 -----	B. & P.
628 -----	Ed.
650 -----	Pub. S.
840 -----	W.,P. & W.
883 -----	Pub. S.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
30 -----	U. & C.
42 -----	Health
52 -----	Hum. S.
54 -----	Ed.
55 -----	Ed.

Senate Joint

<i>Resolution No.</i>	<i>Committee</i>
15 -----	Hum. S.

AUTHOR'S AMENDMENTS**Committee on Revenue and Taxation**

February 5, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 615

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHAVEZ, Chair

SENATE BILL NO. 615—An act to repeal Section 75.30 of the Revenue and Taxation Code, relating to taxation.

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 Member Dymally was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 31, on request of Assembly Member Chan.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Jerome Horton was granted unanimous consent that the Governor's veto of Assembly Bill No. 900 be stricken from file.

BILLS RETURNED TO SENATE

The following bills were returned to the Senate for further action, by unanimous consent:

Assembly Bill No. 97, upon request of Assembly Member Nation;
Senate Bill No. 976, upon request of Assembly Member Chan.

**ASSEMBLY BILL NO. 356 REMOVED FROM INACTIVE FILE AND
RETURNED TO THE SENATE**

On behalf of Assembly Member Hancock, Assembly Member Chan was granted unanimous consent that Assembly Bill No. 356 be withdrawn from the inactive file and returned to the Senate for further action.

**SENATE BILL NO. 1005 RECONSIDERED
BY UNANIMOUS CONSENT**

In compliance with a motion given by Assembly Member Steinberg, Assembly Member Chan was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 1005 was refused passage, and that the bill be placed upon the inactive file.

**ASSEMBLY BILL NO. 1527
WITHDRAWN FROM CONFERENCE AND ACTION RESCINDED**

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 1527 be withdrawn from Conference and that the action be rescinded whereby the Assembly, on July 14, 2003 (Assembly Journal, page 2767), refused to concur in Senate amendments to Assembly Bill No. 1527; and that the bill be returned to the Senate for further action.

At 9:21 a.m., Speaker Herb J. Wesson, Jr., 47th District, presiding

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 165
BY UNANIMOUS CONSENT**

Assembly Member Longville was granted unanimous consent to take up Assembly Concurrent Resolution No. 165 out of order, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 165 (Jerome Horton)—
Relative to Black History Month.

Resolution read, and presented by Assembly Member Longville.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 165**

Assembly Member Longville was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 165.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Harman, Haynes, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Longville, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Parra, Pavley, Reyes, Richman, Ridley-Thomas, Runner, Samuelian, Simitian, Spitzer, Steinberg, Vargas, Wesson, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Longville was granted unanimous consent to take up Assembly Concurrent Resolution No. 165, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 165, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 165—Relative to Black History Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RECESS

By unanimous consent, at 9:31 a.m., Speaker Wesson declared the Assembly recessed to permit the introduction of a special guest.

In recognition of Black History Month, Assembly Member Dymally introduced Patricia S. Bath, M.D., inventor of the cataract Laserphacoprobe. Speaker Wesson then appointed Assembly Members Firebaugh and Cohn as a Select Committee on Escort to escort Dr. Bath to the front of the Assembly Chamber.

Dr. Patricia S. Bath then addressed the assemblage, whereupon Assembly Member Dymally presented her with a resolution in recognition of her inspirational career that has been marked by many "firsts" as a scientist, a woman, and an African American.

RECONVENED

At 9:33 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Assistant Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 371 (La Suer)—An act to amend Section 1246 of the Business and Professions Code, and to amend Section 23158 of the Vehicle Code, relating to blood tests, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Benoit.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

Aghazarian	Dutra	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Harman	Maze	Samuelian
Canciamilla	Haynes	McCarthy	Simitian
Chan	Horton, Jerome	Mountjoy	Spitzer
Chavez	Horton, Shirley	Mullin	Steinberg
Chu	Houston	Nakanishi	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Keene	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	La Malfa	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leno	Pacheco	Mr. Speaker

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—68

Aghazarian	Dutra	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Harman	Maze	Samuelian
Canciamilla	Haynes	McCarthy	Simitian
Chan	Horton, Jerome	Mountjoy	Spitzer
Chavez	Horton, Shirley	Mullin	Steinberg
Chu	Houston	Nakanishi	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Keene	Nation	Wiggins
Corbett	Koretz	Negrete McLeod	Wolk
Correa	La Malfa	Nunez	Wyland
Cox	Laird	Oropeza	Yee
Daucher	Leno	Pacheco	Mr. Speaker

NOES—None

Above bill ordered enrolled immediately.

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 146 (Chan)—Relative to women's heart health.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 146**

Assembly Member Chan was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 146

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Canciamilla, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Longville, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Reyes, Richman, Ridley-Thomas, Runner, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Chan was granted unanimous consent to take up Assembly Concurrent Resolution No. 146, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 146, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 146—Relative to women's heart health.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 161 (Oropeza)—Relative to California Girls and Women in Sports Week.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 161**

Assembly Member Oropeza was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 161.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Cogdill, Correa, Cox, Daucher, Diaz, Dymally, Frommer, Harman, Jerome Horton, Shirley Horton, Houston, Keene, La Malfa, Leno, Levine, Maldonado, Maze, McCarthy, Mountjoy, Nakano, Nation, Nunez, Pacheco, Richman, Runner, Samuelian, Simitian, Spitzer, Strickland, Vargas, Wesson, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Oropeza was granted unanimous consent to take up Assembly Concurrent Resolution No. 161, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 161, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 161—Relative to California Girls and Women in Sports Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

HOUSE RESOLUTION NO. 39 (Liu)—Relative to Lunar New Year Celebration. Resolution read, and presented by Assembly Member Chan.

Members Made Coauthors of House Resolution No. 39

Assembly Member Chan was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 39.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Chavez, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Harman, Jerome Horton, Houston, Jackson, Keene, Koretz, La Malfa, Laird, Leno, Levine, Lieber, Longville, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Reyes, Richman, Ridley-Thomas, Runner, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Chan was granted unanimous consent to take up House Resolution No. 39, as amended, without reference to print or file.

Consideration of House Resolution No. 39, as Amended

HOUSE RESOLUTION NO. 39—Relative to Lunar New Year Celebration.

Resolution read, as amended, and adopted.

ASSEMBLY CONCURRENT RESOLUTION NO. 160 (Mountjoy)—Relative to Abraham Lincoln.

Resolution read, and adopted by the following vote:

AYES—68

Aghazarian	Dymally	Lieber	Parra
Bates	Firebaugh	Longville	Pavley
Benoit	Frommer	Lowenthal	Reyes
Berg	Garcia	Maldonado	Richman
Bermudez	Goldberg	Matthews	Ridley-Thomas
Bogh	Harman	Maze	Runner
Calderon	Haynes	McCarthy	Samuelian
Chan	Horton, Jerome	Montanez	Simitian
Chavez	Horton, Shirley	Mountjoy	Spitzer
Chu	Houston	Mullin	Steinberg
Cogdill	Jackson	Nakanishi	Strickland
Cohn	Keene	Nakano	Vargas
Corbett	Koretz	Nation	Wiggins
Correa	La Malfa	Negrete McLeod	Wolk
Cox	Laird	Nunez	Wyland
Daucher	Leno	Oropeza	Yee
Dutra	Levine	Pacheco	Mr. Speaker

NOES—None

Resolution ordered transmitted to the Senate immediately.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 1051 (Committee on Budget and Fiscal Review)—An act relating to motor vehicles.

Bill read third time.

Motion to Amend by Assembly Member Wolk—Set 1

Assembly Member Wolk 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 Assistant Speaker pro Tempore re-referred Senate Bill No. 1051 to the Committee on Health.

SENATE BILL NO. 678 (Ortiz)—An act to amend Sections 101315 and 101317 of, and to repeal Article 6 (commencing with Section 101315) of Chapter 3 of Part 3 of Division 101 of, the Health and Safety Code, relating to public health, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Richman.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

Aghazarian	Dutra	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Harman	Maze	Samuelian
Chan	Haynes	McCarthy	Simitian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Cox	La Malfa	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—68

Aghazarian	Dutra	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Reyes
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maldonado	Ridley-Thomas
Bogh	Goldberg	Matthews	Runner
Calderon	Harman	Maze	Samuelian
Chan	Haynes	McCarthy	Simitian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wiggins
Correa	Koretz	Negrete McLeod	Wolk
Cox	La Malfa	Nunez	Wyland
Daucher	Laird	Oropeza	Yee
Diaz	Leno	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

SENATE BILL NO. 604 (Perata)—An act to amend Sections 81008, 84101, 84103, 84108, 84203, 84204, and 84502 of, to repeal Section 84305.6 of, and to repeal and add Section 84305.5 of, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately,

Bill read third time.

Motion to Amend

Assembly Member Longville moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Councilmember John S. Gelff, of San Juan Capistrano.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Nakanishi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeffery Brown, of Arizona.

(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 Albert Zanolini, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Army Reserve Spc. Adam Kinser, of Rio Vista.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herbert R. Packard, DDS, of Walnut Creek.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Ridley-Thomas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter H. Leimert Jr., of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William A. Chavez, of Sacramento.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 311 (Sher)—An act to amend, add, and repeal Section 52124 of the Education Code, relating to class size, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Daucher.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—60

Aghazarian	Dymally	Longville	Pavley
Bates	Firebaugh	Lowenthal	Reyes
Benoit	Frommer	Maldonado	Richman
Berg	Garcia	Matthews	Ridley-Thomas
Bermudez	Harman	Maze	Runner
Calderon	Haynes	McCarthy	Samuelian
Chan	Horton; Jerome	Montanez	Simitian
Chavez	Horton; Shirley	Mullin	Steinberg
Chu	Houston	Nakanishi	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Koretz	Negrete McLeod	Wiggins
Cox	Laird	Nunez	Wolk
Daucher	Leno	Oropeza	Wyland
Diaz	Levine	Pacheco	Yee
Dutra	Lieber	Parra	Mr. Speaker

NOES—3

Bogh	Correa	Keene
------	--------	-------

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—60

Aghazarian	Dymally	Longville	Pavley
Bates	Firebaugh	Lowenthal	Reyes
Benoit	Frommer	Maldonado	Richman
Berg	Garcia	Matthews	Ridley-Thomas
Bermudez	Harman	Maze	Runner
Calderon	Haynes	McCarthy	Samuelian
Chan	Horton; Jerome	Montanez	Simitian
Chavez	Horton; Shirley	Mullin	Steinberg
Chu	Houston	Nakanishi	Strickland
Cogdill	Jackson	Nakano	Vargas
Cohn	Koretz	Negrete McLeod	Wiggins
Cox	Laird	Nunez	Wolk
Daucher	Leno	Oropeza	Wyland
Diaz	Levine	Pacheco	Yee
Dutra	Lieber	Parra	Mr. Speaker

NOES—3

Bogh	Correa	Keene
------	--------	-------

Bill ordered transmitted to the Senate.

(NOTE: On August 23, 2004, the action was rescinded whereby the urgency clause was adopted and Senate Bill No. 311 was passed, and whereby the bill was ordered transmitted to the Senate. See page 7439.)

RE-REFERENCE OF BILLS

Assembly Member Steinberg was granted unanimous consent that Senate Bill No. 70 be re-referred from the Committee on Appropriations to the Committee on Education.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Blanch Glover, of Los Angeles.

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert S. Gleason, of Oceanside.

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 Charlene LaVoice “Lolly” Owen, of Santa Rosa.

Assembly Member Calderon was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Haua, of Los Angeles; and Felix Sanchez, of Montebello.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steven Gonzalez, of La Puente.

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of J.R. Richards, of Santa Barbara.

Assembly Members Mullin and Steinberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Helen Ruth Raiskin, of Burlingame.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herbert Paul Dong, of Sacramento.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dale Lott, of Davis.

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. 371, Urgency and Concurrence: Bogh, Chu, Corbett, Frommer, Garcia, Jerome Horton, Houston, Keene, La Malfa, Ridley-Thomas, and Simitian—Aye.

Assembly Concurrent Resolution No. 160: Jerome Horton and Ridley-Thomas—Aye.

Senate Bill No. 678 and Urgency: Chu, Correa, Jerome Horton, Keene, Mountjoy, and Ridley-Thomas—Aye.

Senate Bill No. 311 and Urgency: Cohn, Garcia, and Wyland—Aye; Bogh and Correa—No.

MOTION TO ADJOURN

At 10:31 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:31 a.m., Assistant Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 5, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 371

And reports the same correctly enrolled, and presented to the Governor on the 5th day of February, 2004, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

BILLS WHICH DIED ON FILE PURSUANT TO THE CONSTITUTION—ART. IV, SEC 10(c)

The following bills died on the inactive file:

Assembly Bills Nos. 101, 1720, 1713, 1448, 821, 1276, 661, 112, 160, 165, 1534, 1345, 895, 1015, 831, 103, 1221, 1134, 4, 1651, and 992.

The following bill died on the third reading file:

Assembly Bill No. 640.

The following bill died on the unfinished business file:

Assembly Bill No. 100.

BILLS WHICH DIED AT THE DESK WITHOUT FURTHER ACTION

The following Assembly bills died at the Desk without further action:

Assembly Bills Nos. 7, 110, 139, 143, 166, 297, 316, 364, 400, 405, 407, 452, 468, 469, 483, 530, 538, 562, 564, 584, 601, 641, 645, 681, 704, 721, 748, 751, 770, 778, 779, 803, 819, 822, 829, 835, 851, 856, 871, 882, 889, 913, 919, 937, 951, 959, 981, 982, 983, 995, 997, 1023, 1024, 1029, 1030, 1037, 1047, 1053, 1056, 1088, 1111, 1114, 1115, 1120, 1162, 1189, 1225, 1234, 1258, 1293, 1311, 1332, 1339, 1342, 1351, 1352, 1364, 1391, 1404, 1415, 1422, 1429, 1456, 1487, 1503, 1514, 1518, 1542, 1560, 1562, 1563, 1566, 1574, 1614, 1615, 1621, 1624, 1630, 1644, 1656, 1658, 1660, 1671, 1673, 1682, and 1779.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 603

STEINBERG, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Education

February 2, 2004

Mr. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 86

Assembly Bill No. 1464

Assembly Bill No. 1646

GOLDBERG, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Governmental Organization

February 2, 2004

Mr. Speaker: Your Committee on Governmental Organization reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 221

JEROME HORTON, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Human Services

February 2, 2004

Mr. Speaker: Your Committee on Human Services reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 917

WOLK, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Judiciary

February 2, 2004

Mr. Speaker: Your Committee on Judiciary reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1135

Assembly Bill No. 1165

CORBETT, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Judiciary reports the following resolution pursuant to the provisions of Joint Rule 62(a):

Assembly Joint Resolution No. 4

CORBETT, Chair

Above resolution ordered filed with the Chief Clerk.

Committee on Local Government

February 2, 2004

Mr. Speaker: Your Committee on Local Government reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 192

Assembly Bill No. 208

Assembly Bill No. 646

SALINAS, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Natural Resources

February 2, 2004

Mr. Speaker: Your Committee on Natural Resources reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 720

JACKSON, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Public Safety

February 2, 2004

Mr. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 34

Assembly Bill No. 201

Assembly Bill No. 495

Assembly Bill No. 730

Assembly Bill No. 797

Assembly Bill No. 876

Assembly Bill No. 1025

Assembly Bill No. 1067

Assembly Bill No. 1146

Assembly Bill No. 1184

Assembly Bill No. 1440

LENO, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Transportation

February 2, 2004

Mr. Speaker: Your Committee on Transportation reports the following bills pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 435

Assembly Bill No. 1063

DUTRA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Water, Parks and Wildlife

February 2, 2004

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 492

CANCIAMILLA, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Aging and Long-Term Care

February 2, 2004

Mr. Speaker: Your Committee on Aging and Long-Term Care reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- Assembly Bill No. 785
- Assembly Bill No. 1396

DAUCHER, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Agriculture

February 2, 2004

Mr. Speaker: Your Committee on Agriculture reports the following bill pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- Assembly Bill No. 732

MATTHEWS, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Appropriations

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|----------------------|-----------------------|
| Assembly Bill No. 1 | Assembly Bill No. 64 |
| Assembly Bill No. 5 | Assembly Bill No. 75 |
| Assembly Bill No. 8 | Assembly Bill No. 87 |
| Assembly Bill No. 11 | Assembly Bill No. 122 |
| Assembly Bill No. 12 | Assembly Bill No. 126 |
| Assembly Bill No. 27 | Assembly Bill No. 127 |
| Assembly Bill No. 41 | Assembly Bill No. 128 |
| Assembly Bill No. 48 | Assembly Bill No. 131 |
| Assembly Bill No. 53 | |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 133 | Assembly Bill No. 191 |
| Assembly Bill No. 136 | Assembly Bill No. 193 |
| Assembly Bill No. 140 | Assembly Bill No. 200 |
| Assembly Bill No. 145 | Assembly Bill No. 203 |
| Assembly Bill No. 147 | Assembly Bill No. 206 |
| Assembly Bill No. 154 | Assembly Bill No. 217 |
| Assembly Bill No. 178 | Assembly Bill No. 222 |
| Assembly Bill No. 180 | Assembly Bill No. 225 |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 230	Assembly Bill No. 291
Assembly Bill No. 234	Assembly Bill No. 295
Assembly Bill No. 237	Assembly Bill No. 306
Assembly Bill No. 238	Assembly Bill No. 307
Assembly Bill No. 251	Assembly Bill No. 328
Assembly Bill No. 261	Assembly Bill No. 335
Assembly Bill No. 273	Assembly Bill No. 367
Assembly Bill No. 275	Assembly Bill No. 368
Assembly Bill No. 285	

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 372	Assembly Bill No. 422
Assembly Bill No. 381	Assembly Bill No. 448
Assembly Bill No. 391	Assembly Bill No. 449
Assembly Bill No. 393	Assembly Bill No. 472
Assembly Bill No. 410	Assembly Bill No. 481
Assembly Bill No. 411	Assembly Bill No. 486
Assembly Bill No. 412	Assembly Bill No. 507
Assembly Bill No. 417	Assembly Bill No. 511

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 516	Assembly Bill No. 581
Assembly Bill No. 531	Assembly Bill No. 590
Assembly Bill No. 545	Assembly Bill No. 592
Assembly Bill No. 546	Assembly Bill No. 604
Assembly Bill No. 550	Assembly Bill No. 607
Assembly Bill No. 553	Assembly Bill No. 611
Assembly Bill No. 554	Assembly Bill No. 622
Assembly Bill No. 555	Assembly Bill No. 636
Assembly Bill No. 570	

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 637	Assembly Bill No. 698
Assembly Bill No. 639	Assembly Bill No. 699
Assembly Bill No. 657	Assembly Bill No. 705
Assembly Bill No. 659	Assembly Bill No. 707
Assembly Bill No. 660	Assembly Bill No. 708
Assembly Bill No. 680	Assembly Bill No. 733
Assembly Bill No. 683	Assembly Bill No. 737
Assembly Bill No. 684	Assembly Bill No. 740
Assembly Bill No. 696	

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|-----------------------|
| Assembly Bill No. 749 | Assembly Bill No. 796 |
| Assembly Bill No. 756 | Assembly Bill No. 811 |
| Assembly Bill No. 760 | Assembly Bill No. 818 |
| Assembly Bill No. 765 | Assembly Bill No. 843 |
| Assembly Bill No. 783 | Assembly Bill No. 880 |
| Assembly Bill No. 784 | Assembly Bill No. 893 |
| Assembly Bill No. 787 | Assembly Bill No. 905 |
| Assembly Bill No. 789 | Assembly Bill No. 907 |
| Assembly Bill No. 791 | |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 910 | Assembly Bill No. 1016 |
| Assembly Bill No. 931 | Assembly Bill No. 1021 |
| Assembly Bill No. 947 | Assembly Bill No. 1033 |
| Assembly Bill No. 952 | Assembly Bill No. 1066 |
| Assembly Bill No. 975 | Assembly Bill No. 1107 |
| Assembly Bill No. 993 | Assembly Bill No. 1110 |
| Assembly Bill No. 1003 | Assembly Bill No. 1112 |
| Assembly Bill No. 1011 | Assembly Bill No. 1123 |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1150 | Assembly Bill No. 1237 |
| Assembly Bill No. 1152 | Assembly Bill No. 1278 |
| Assembly Bill No. 1163 | Assembly Bill No. 1282 |
| Assembly Bill No. 1170 | Assembly Bill No. 1295 |
| Assembly Bill No. 1177 | Assembly Bill No. 1319 |
| Assembly Bill No. 1178 | Assembly Bill No. 1323 |
| Assembly Bill No. 1183 | Assembly Bill No. 1328 |
| Assembly Bill No. 1206 | Assembly Bill No. 1336 |
| Assembly Bill No. 1233 | |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 1357 | Assembly Bill No. 1441 |
| Assembly Bill No. 1365 | Assembly Bill No. 1463 |
| Assembly Bill No. 1377 | Assembly Bill No. 1502 |
| Assembly Bill No. 1378 | Assembly Bill No. 1511 |
| Assembly Bill No. 1387 | Assembly Bill No. 1533 |
| Assembly Bill No. 1390 | Assembly Bill No. 1535 |
| Assembly Bill No. 1395 | Assembly Bill No. 1543 |
| Assembly Bill No. 1406 | Assembly Bill No. 1549 |
| Assembly Bill No. 1419 | |

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Appropriations reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1568	Assembly Bill No. 1622
Assembly Bill No. 1580	Assembly Bill No. 1645
Assembly Bill No. 1591	Assembly Bill No. 1652
Assembly Bill No. 1611	Assembly Bill No. 1698
Assembly Bill No. 1612	Assembly Bill No. 1734
Assembly Bill No. 1619	Assembly Bill No. 1737
Assembly Bill No. 1620	

STEINBERG, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

February 2, 2004

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1494

COHN, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Banking and Finance

February 2, 2004

Mr. Speaker: Your Committee on Banking and Finance reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 3	Assembly Bill No. 849
Assembly Bill No. 485	Assembly Bill No. 1013
Assembly Bill No. 757	Assembly Bill No. 1226
Assembly Bill No. 832	Assembly Bill No. 1664

WIGGINS, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Budget

Assembly Chamber, February 2, 2004

Mr. Speaker: Your Committee on Budget reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 318	Assembly Bill No. 499
Assembly Bill No. 498	Assembly Bill No. 1451

OROPEZA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Business and Professions

February 2, 2004

Mr. Speaker: Your Committee on Business and Professions reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 229	Assembly Bill No. 873
Assembly Bill No. 250	Assembly Bill No. 973
Assembly Bill No. 337	Assembly Bill No. 1078
Assembly Bill No. 395	Assembly Bill No. 1094
Assembly Bill No. 451	Assembly Bill No. 1100
Assembly Bill No. 515	Assembly Bill No. 1142
Assembly Bill No. 689	Assembly Bill No. 1374
Assembly Bill No. 761	Assembly Bill No. 1388
Assembly Bill No. 830	

CORREA, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Business and Professions reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- Assembly Bill No. 1460
- Assembly Bill No. 1609
- Assembly Bill No. 1632

CORREA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Education

February 2, 2004

Mr. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 15 | Assembly Bill No. 1001 |
| Assembly Bill No. 31 | Assembly Bill No. 1041 |
| Assembly Bill No. 228 | Assembly Bill No. 1052 |
| Assembly Bill No. 349 | Assembly Bill No. 1129 |
| Assembly Bill No. 497 | Assembly Bill No. 1259 |
| Assembly Bill No. 500 | Assembly Bill No. 1307 |
| Assembly Bill No. 576 | Assembly Bill No. 1334 |
| Assembly Bill No. 772 | Assembly Bill No. 1381 |
| Assembly Bill No. 810 | Assembly Bill No. 1450 |
| Assembly Bill No. 950 | Assembly Bill No. 1477 |

GOLDBERG, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Education reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- Assembly Bill No. 1491
- Assembly Bill No. 1595
- Assembly Bill No. 1638

GOLDBERG, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Elections, Redistricting and Constitutional Amendments

February 2, 2004

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 397 | Assembly Bill No. 1039 |
| Assembly Bill No. 884 | Assembly Bill No. 1608 |
| Assembly Bill No. 892 | Assembly Bill No. 1681 |

LONGVILLE, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Environmental Safety and Toxic Materials

February 2, 2004

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 58 | Assembly Bill No. 1246 |
| Assembly Bill No. 93 | Assembly Bill No. 1375 |
| Assembly Bill No. 120 | Assembly Bill No. 1380 |
| Assembly Bill No. 386 | Assembly Bill No. 1607 |
| Assembly Bill No. 623 | Assembly Bill No. 1691 |
| Assembly Bill No. 817 | Assembly Bill No. 1703 |
| Assembly Bill No. 1176 | |

LAIRD, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Governmental Organization

February 2, 2004

Mr. Speaker: Your Committee on Governmental Organization reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 173	Assembly Bill No. 870
Assembly Bill No. 257	Assembly Bill No. 1040
Assembly Bill No. 423	Assembly Bill No. 1204
Assembly Bill No. 563	Assembly Bill No. 1269
Assembly Bill No. 629	Assembly Bill No. 1540
Assembly Bill No. 771	

JEROME HORTON, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Health

February 2, 2004

Mr. Speaker: Your Committee on Health reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 10	Assembly Bill No. 441
Assembly Bill No. 37	Assembly Bill No. 510
Assembly Bill No. 267	Assembly Bill No. 573
Assembly Bill No. 289	Assembly Bill No. 674
Assembly Bill No. 293	Assembly Bill No. 713
Assembly Bill No. 363	Assembly Bill No. 802
Assembly Bill No. 409	Assembly Bill No. 823
Assembly Bill No. 432	Assembly Bill No. 850
Assembly Bill No. 438	

FROMMMER, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Health reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 881	Assembly Bill No. 1251
Assembly Bill No. 940	Assembly Bill No. 1261
Assembly Bill No. 1062	Assembly Bill No. 1359
Assembly Bill No. 1084	Assembly Bill No. 1363
Assembly Bill No. 1122	Assembly Bill No. 1376
Assembly Bill No. 1139	Assembly Bill No. 1401
Assembly Bill No. 1161	Assembly Bill No. 1424
Assembly Bill No. 1193	Assembly Bill No. 1437

FROMMMER, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Health reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1473	Assembly Bill No. 1597
Assembly Bill No. 1559	Assembly Bill No. 1686
Assembly Bill No. 1577	

FROMMMER, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Higher Education

February 2, 2004

Mr. Speaker: Your Committee on Higher Education reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 40 | Assembly Bill No. 1508 |
| Assembly Bill No. 119 | Assembly Bill No. 1571 |
| Assembly Bill No. 156 | Assembly Bill No. 1648 |
| Assembly Bill No. 174 | |

LIU, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Housing and Community Development

February 2, 2004

Mr. Speaker: Your Committee on Housing and Community Development reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 210 | Assembly Bill No. 1158 |
| Assembly Bill No. 333 | Assembly Bill No. 1160 |
| Assembly Bill No. 437 | Assembly Bill No. 1167 |
| Assembly Bill No. 463 | Assembly Bill No. 1171 |
| Assembly Bill No. 494 | Assembly Bill No. 1256 |
| Assembly Bill No. 980 | Assembly Bill No. 1257 |
| Assembly Bill No. 1058 | Assembly Bill No. 1626 |
| Assembly Bill No. 1089 | Assembly Bill No. 1732 |

LOWENTHAL, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Human Services

February 2, 2004

Mr. Speaker: Your Committee on Human Services reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 22 | Assembly Bill No. 345 |
| Assembly Bill No. 194 | Assembly Bill No. 1057 |

WOLK, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Insurance

February 2, 2004

Mr. Speaker: Your Committee on Insurance reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|------------------------|------------------------|
| Assembly Bill No. 431 | Assembly Bill No. 1136 |
| Assembly Bill No. 456 | Assembly Bill No. 1327 |
| Assembly Bill No. 595 | Assembly Bill No. 1434 |
| Assembly Bill No. 596 | Assembly Bill No. 1480 |
| Assembly Bill No. 597 | Assembly Bill No. 1481 |
| Assembly Bill No. 631 | Assembly Bill No. 1482 |
| Assembly Bill No. 752 | Assembly Bill No. 1552 |
| Assembly Bill No. 1060 | Assembly Bill No. 1581 |
| Assembly Bill No. 1103 | |

VARGAS, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Jobs, Economic Development, and the Economy

February 1, 2004

Mr. Speaker: Your Committee on Jobs, Economic Development, and the Economy reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

- | | |
|-----------------------|------------------------|
| Assembly Bill No. 415 | Assembly Bill No. 717 |
| Assembly Bill No. 439 | Assembly Bill No. 1325 |

RIDLEY-THOMAS, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Judiciary

February 2, 2004

Mr. Speaker: Your Committee on Judiciary reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 18	Assembly Bill No. 754
Assembly Bill No. 29	Assembly Bill No. 759
Assembly Bill No. 209	Assembly Bill No. 840
Assembly Bill No. 258	Assembly Bill No. 934
Assembly Bill No. 370	Assembly Bill No. 972
Assembly Bill No. 588	Assembly Bill No. 1202
Assembly Bill No. 599	Assembly Bill No. 1231
Assembly Bill No. 609	Assembly Bill No. 1333
Assembly Bill No. 695	

CORBETT, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Judiciary reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1372	Assembly Bill No. 1617
Assembly Bill No. 1447	Assembly Bill No. 1635
Assembly Bill No. 1605	

CORBETT, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Labor and Employment

February 2, 2004

Mr. Speaker: Your Committee on Labor and Employment reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 89	Assembly Bill No. 1421
Assembly Bill No. 1018	Assembly Bill No. 1459
Assembly Bill No. 1147	Assembly Bill No. 1471
Assembly Bill No. 1223	Assembly Bill No. 1529
Assembly Bill No. 1243	Assembly Bill No. 1539
Assembly Bill No. 1288	Assembly Bill No. 1582
Assembly Bill No. 1344	Assembly Bill No. 1722

KORETZ, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Local Government

February 2, 2004

Mr. Speaker: Your Committee on Local Government reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 77	Assembly Bill No. 619
Assembly Bill No. 157	Assembly Bill No. 686
Assembly Bill No. 281	Assembly Bill No. 994
Assembly Bill No. 312	Assembly Bill No. 1113
Assembly Bill No. 470	Assembly Bill No. 1188
Assembly Bill No. 533	Assembly Bill No. 1235
Assembly Bill No. 589	Assembly Bill No. 1236
Assembly Bill No. 600	Assembly Bill No. 1267
Assembly Bill No. 613	

SALINAS, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Local Government reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1385	Assembly Bill No. 1602
Assembly Bill No. 1425	Assembly Bill No. 1695

SALINAS, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Natural Resources

February 2, 2004

Mr. Speaker: Your Committee on Natural Resources reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 90	Assembly Bill No. 1054
Assembly Bill No. 240	Assembly Bill No. 1174
Assembly Bill No. 404	Assembly Bill No. 1194
Assembly Bill No. 501	Assembly Bill No. 1280
Assembly Bill No. 586	Assembly Bill No. 1322
Assembly Bill No. 729	Assembly Bill No. 1461
Assembly Bill No. 734	Assembly Bill No. 1517
Assembly Bill No. 764	Assembly Bill No. 1637
Assembly Bill No. 925	Assembly Bill No. 1672

JACKSON, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Public Employees, Retirement and Social Security

February 2, 2004

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 92
 Assembly Bill No. 220
 Assembly Bill No. 795

NEGRETE McLEOD, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Public Safety

Assembly Chamber, February 2, 2004

Mr. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 19	Assembly Bill No. 602
Assembly Bill No. 26	Assembly Bill No. 725
Assembly Bill No. 125	Assembly Bill No. 726
Assembly Bill No. 168	Assembly Bill No. 727
Assembly Bill No. 181	Assembly Bill No. 755
Assembly Bill No. 239	Assembly Bill No. 814
Assembly Bill No. 280	Assembly Bill No. 834
Assembly Bill No. 311	Assembly Bill No. 861
Assembly Bill No. 325	Assembly Bill No. 874
Assembly Bill No. 440	Assembly Bill No. 904
Assembly Bill No. 462	Assembly Bill No. 912
Assembly Bill No. 519	Assembly Bill No. 916
Assembly Bill No. 543	Assembly Bill No. 930

LENO, Chair

Above bills ordered filed with the Chief Clerk.

Assembly Chamber, February 2, 2004

Mr. Speaker: Your Committee on Public Safety reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 957	Assembly Bill No. 1439
Assembly Bill No. 958	Assembly Bill No. 1443
Assembly Bill No. 963	Assembly Bill No. 1444
Assembly Bill No. 966	Assembly Bill No. 1446
Assembly Bill No. 1050	Assembly Bill No. 1474
Assembly Bill No. 1109	Assembly Bill No. 1513
Assembly Bill No. 1205	Assembly Bill No. 1561
Assembly Bill No. 1341	Assembly Bill No. 1565
Assembly Bill No. 1346	Assembly Bill No. 1692
Assembly Bill No. 1435	

LENO, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

February 2, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 63	Assembly Bill No. 612
Assembly Bill No. 82	Assembly Bill No. 628
Assembly Bill No. 211	Assembly Bill No. 644
Assembly Bill No. 272	Assembly Bill No. 651
Assembly Bill No. 288	Assembly Bill No. 678
Assembly Bill No. 339	Assembly Bill No. 735
Assembly Bill No. 484	Assembly Bill No. 743
Assembly Bill No. 565	Assembly Bill No. 809
Assembly Bill No. 585	

CHAVEZ, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Revenue and Taxation reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 988	Assembly Bill No. 1603
Assembly Bill No. 989	Assembly Bill No. 1604
Assembly Bill No. 1270	Assembly Bill No. 1654
Assembly Bill No. 1490	Assembly Bill No. 1665
Assembly Bill No. 1519	Assembly Bill No. 1674
Assembly Bill No. 1523	

CHAVEZ, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Rules

February 2, 2004

Mr. Speaker: Your Committee on Rules reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 148

NATION, Chair

Above bill ordered filed with the Chief Clerk.

Committee on Transportation

February 2, 2004

Mr. Speaker: Your Committee on Transportation reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 1279	Assembly Bill No. 1500
Assembly Bill No. 1289	Assembly Bill No. 1526
Assembly Bill No. 1305	Assembly Bill No. 1547
Assembly Bill No. 1316	Assembly Bill No. 1590

DUTRA, Chair

Above bills ordered filed with the Chief Clerk.

February 2, 2004

Mr. Speaker: Your Committee on Transportation reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 33	Assembly Bill No. 724
Assembly Bill No. 114	Assembly Bill No. 793
Assembly Bill No. 130	Assembly Bill No. 875
Assembly Bill No. 219	Assembly Bill No. 927
Assembly Bill No. 246	Assembly Bill No. 1004
Assembly Bill No. 350	Assembly Bill No. 1072
Assembly Bill No. 420	Assembly Bill No. 1200
Assembly Bill No. 443	Assembly Bill No. 1271
Assembly Bill No. 551	

DUTRA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Utilities and Commerce

Assembly Chamber, February 2, 2004

Mr. Speaker: Your Committee on Utilities and Commerce reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 489	Assembly Bill No. 1291
Assembly Bill No. 508	Assembly Bill No. 1292
Assembly Bill No. 860	Assembly Bill No. 1452
Assembly Bill No. 1121	Assembly Bill No. 1661
Assembly Bill No. 1203	Assembly Bill No. 1730

REYES, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Veterans Affairs

February 2, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 176	Assembly Bill No. 758
Assembly Bill No. 505	Assembly Bill No. 1593
Assembly Bill No. 744	

PARRA, Chair

Above bills ordered filed with the Chief Clerk.

Committee on Water, Parks and Wildlife

February 2, 2004

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports the following bills pursuant to the provisions of Joint Rule 56 and Article IV, Sec. 10(c) of the Constitution:

Assembly Bill No. 65	Assembly Bill No. 877
Assembly Bill No. 342	Assembly Bill No. 888
Assembly Bill No. 450	Assembly Bill No. 1002
Assembly Bill No. 536	Assembly Bill No. 1159
Assembly Bill No. 630	Assembly Bill No. 1190
Assembly Bill No. 670	Assembly Bill No. 1312
Assembly Bill No. 741	Assembly Bill No. 1484
Assembly Bill No. 742	Assembly Bill No. 1659

CANCIAMILLA, Chair

Above bills ordered filed with the Chief Clerk.

INTRODUCTION OF GUESTS

Assembly Member Chan, of the 16th Assembly District, introduced Shawn Casey, Executive Director, American Heart Association, East Bay; and Kristin Matesen, Executive Director, American Heart Association, Sacramento.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 12 noon, Monday, February 9, 2004, out of respect to the memory of Blanch Glover, on motion of Speaker Wesson; out of respect to the memory of Councilmember John S. Gelff, on motion of Assembly Member Bates; out of respect to the memory of Army Reserve Spc. Adam Kinser, on motion of Assembly Member Wolk; out of respect to the memory of Herbert R. Packard, DDS, on motion of Assembly Member Steinberg; out of respect to the memory of Albert Zanolini, on motion of Assembly Member Wiggins; out of respect to the memory of Walter H. Leimert Jr., on motion of Assembly Member Ridley-Thomas; out of respect to the memory of Jeffery Brown, on motion of Assembly Member Nakanishi; out of respect to the memory of William A. Chavez, on motion of Assembly Member Maze; out of respect to the memory of Robert S. Gleason, on motion of Assembly Member Bates; out of respect to the memory of Charlene LaVoice "Lolly" Owen, on motion of Assembly Member Berg; out of respect to the memory of Robert Haa and Felix Sanchez, on motion of Assembly Member Calderon; out of respect to the memory of Steven Gonzalez, on motion of Assembly Member Chavez; out of respect to the memory of J.R. Richards, on motion of Assembly Member Jackson; out of respect to the memory of Helen Ruth Raiskin, on motion of Assembly Members Mullin and Steinberg; out of respect to the memory of Herbert Paul Dong, on motion of Assembly Member Steinberg; and out of respect to the memory of Dale Lott, on motion of Assembly Member Wolk.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 5, 2004**

The following measures were amended in the Assembly on this day:

SB	RN
604	0401588
615	0402077
1051	0405340

Daily Total:	3
Cumulative Total:	3163

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, February 9, 2004

**ONE HUNDRED FORTY-NINTH SESSION DAY
FOUR HUNDRED THIRTY-FIFTH 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, February 9, 2004

The Assembly met at 12:12 p.m.
Hon. Herb J. Wesson, Jr., Speaker 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, 12:13 p.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 12:19 p.m., Speaker Wesson declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—76:

Aghazarian	Dutton	Leslie	Pacheco
Benoit	Dymally	Levine	Parra
Berg	Frommer	Lieber	Pavley
Bermudez	Garcia	Longville	Plescia
Bogh	Goldberg	Lowenthal	Reyes
Calderon	Hancock	Maddox	Richman
Campbell	Harman	Maldonado	Ridley-Thomas
Canciamilla	Haynes	Matthews	Runner
Chan	Horton, Jerome	Maze	Salinas
Chavez	Horton, Shirley	McCarthy	Samuelian
Chu	Houston	Montanez	Simitian
Cogdill	Jackson	Mountjoy	Spitzer
Cohn	Keene	Mullin	Steinberg
Corbett	Kehoe	Nakanishi	Strickland
Correa	Koretz	Nakano	Vargas
Cox	La Malfa	Nation	Wiggins
Daucher	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Nunez	Yee
Dutra	Leno	Oropeza	Mr. Speaker

PRAYER

Upon invitation of Speaker Wesson, the following prayers were offered:

by

Father Gregory J. Boyle, S.J.

Executive Director HOMEBOY Industries

God of Us All, You Who look beyond our faults, and see our need, Dios compasivo y bondadoso, You who loves us without measure and without regret, bless our brother Fabian, this day; make him a remarkable sign of Your mercy and compassion; guide him to put first things recognizably first; challenge him to live as though the truth were true; inspire him not to announce a message of hope, but to become that message in our midst. Let the measure of his leadership lie in his willingness to create a community of kinship, such that You might recognize it.

May the locus of his leadership not be the place he comes to, but the place he goes from—to stand with the poor and undocumented, to stand with those whose dignity has been denied, to stand with the easily despised and the readily left out, to stand with those whose burdens are more than they can bear, hear our prayer today.

Concedele a nuestro hermano, Fabian, sabiduria, compasion, y tu modo de ver. Help us O God, to accompany Fabian and support him, to make of this State of California a place of fairness and justice—where no one is left behind. May You, O God, remind Fabian, always of his goodness, gifts and noble purpose. Te lo pedimos todo en tu nombre.—AMEN.

by
Rabbi Meyer H. May
Executive Director Simon Wiesenthal Center

Mr. Speaker, my fellow clergyman, distinguished former Speakers, elected officials, beloved family members and friends.

We gather here, on this beautiful Sacramento afternoon, in this august setting, to welcome to leadership a great man—Speaker Fabian Núñez—whose name has become synonymous with service and dedication.

All of us who are here this afternoon share an admiration and affection for our new Speaker.

And so, let us pray together for his success.

Dear G-d, The portion of the Bible we will read this forthcoming Saturday in each of our synagogues contains the ten commandments themselves.

Herein G-d sets forth for all humanity, for the first time and for all time, the basic laws of society and the imperative of faith, social justice, decency and fairness.

Herein we find the rudiments of public policy and the underpinnings of a just society.

This extraordinary juxtaposition—the timing of this week’s Torah portion and the swearing in of Speaker Fabian Núñez—cannot be viewed as simple coincidence, but rather the exquisite timing of an omniscient, all-knowing G-d.

Today, we gather here to celebrate the leadership of a man dedicated and committed to these eternal, fundamental ideals of human rights and social responsibility. Like humanitarian Simon Wiesenthal, we are humbled by Fabian’s incredible dreams and, his courage and tenacity to achieve them.

And we have been overwhelmed by his singular dedication to education, workers, the poor and the middle class.

He has been a champion of children—fighting to provide them with health insurance, new schools and funding for low-performing schools.

Dear G-d, Fabian Núñez has shown everyone—regardless of their religion, color or creed—that his tent is open to them. He is readily accessible to provide counsel, assistance or cooperation.

In turn, we greatly admire this man for his vision and wisdom. We recognize his remarkable qualities of determination and finesse. We pray that his open tent will be a source of fairness, comfort, brilliant ideas, justice, and compassion.

Above all, we pray that his actions will be consistent with the ideals inherent in the Ten Commandments, themselves.

We are confident that you, dear G-d, will bless this charismatic and brilliant public servant with all the ingredients of leadership and humanity, so that he, together with his colleagues in the Assembly, and those in the Senate and the Executive, will work effectively to advance the business of the people of California with compassion and integrity.

And let us say—AMEN.

by

Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.

O God, In these times of uncertainty, we are glad for Your awesome hope and power. We trust Your guidance and holy presence. We lean totally on Your wisdom. Thank You, O God, for choosing government as an agency of your Divine guidance. Help this august body to continue to build on the purpose and foundation for which they are called to serve. And today may Your guidance, grace, mercy, and power rest always on the Speaker of this Assembly and all who deliberate in these halls of hope of the people, for the people, by the people in this great state of California and these United States. In Your Name we pray—AMEN!

PRESENTATION OF COLORS

The Presentation of Colors by the California National Guard “The Governor’s and Adjutant General’s Own” was followed by the Pledge of Allegiance to the Flag, led by Esteban Núñez, son of Speaker-elect Fabian Núñez.

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 Member Liu.
Because of illness: Assembly Members Bates, Firebaugh,
and Wyland.*

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 2, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Frank Lee
to Stem Cell Research Advisory Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Frank Lee to the Stem Cell Research Advisory Panel. This is a pleasure appointment starting February 2, 2004.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

February 2, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Reappointment of Jerold B. Neuman
to Economic Strategy Panel

Dear Mr. Wilson: Please be advised I have reappointed Mr. Jerold B. Neuman to the Economic Strategy Panel. This is a term appointment starting January 1, 2004 and the expiration date is December 31, 2007.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

February 2, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Barbara Shaver
to California Council on Criminal Justice

Dear Mr. Wilson: Please be advised I have appointed Dr. Barbara Shaver to the California Council on Criminal Justice. This is a pleasure appointment starting February 2, 2004. Dr. Shaver will be replacing Mr. Coby King.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

February 6, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Cynthia Campoy Brophy
to California Cultural and Historical Endowment

Dear Mr. Wilson: Please be advised I have appointed Ms. Cynthia Campoy Brophy to the California Cultural and Historical Endowment. This is a pleasure appointment starting February 6, 2004. Ms. Campoy Brophy will be replacing Ms. Gayle Roski.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

February 6, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Patricia Miller
to Commission on Judicial Performance

Dear Mr. Wilson: Please be advised I have appointed Ms. Patricia Miller to the Commission on Judicial Performance. This is a term appointment starting February 6, 2004 and the expiration date is March 1, 2005. Ms. Miller will be replacing Ms. Ramona Ripston.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

February 6, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Martha Pruden-Hamiter
to State Bar Examining Committee

Dear Mr. Wilson: Please be advised I have appointed Ms. Martha Pruden-Hamiter to the State Bar Examining Committee. This is a term appointment starting February 6, 2004 and the expiration date is October 1, 2006. Ms. Pruden-Hamiter will be replacing Mr. David Low.

Sincerely,

HERB J. WESSON, JR.
Speaker of the California Assembly

The following communication was presented by the Chief Clerk from:

Sue Johnsrud, Director, Administrative Services Division, Department of Justice, relative to a delay in submitting a report on the Child Abuse and Neglect Reporting Act Task Force (CANRA) Report (required pursuant to Assembly Bill 2442, Chapter 1064, Statutes of 2002).

Referred by the Speaker to the Committee on Public Safety.

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 4, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Automobile Dealers.
Buyer's Right To Cancel Purchase. Seller Disclosures.
Initiative Constitutional Amendment. SA 2003RF0066**

Referred by the Speaker to the Committee on Transportation.

**Local Government Funds and Revenues. State Mandates.
Initiative Statute. SA 2003RF0067**

Referred by the Speaker to the Committee on Local Government.

REPORTS

The following reports were presented by the Chief Clerk:

**2001–2002 Motor Vehicle Theft Prevention Act
Annual Report
(Pursuant to Senate Bill 1743, Chapter 1248, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, California Highway Patrol, dated February 4, 2004, referred by the Speaker to the Committee on Transportation.

**2002–2003 Motor Vehicle Theft Prevention Act
Annual Report
(Pursuant to Senate Bill 1743, Chapter 1248, Statutes of 1994)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, California Highway Patrol dated February 4, 2004, referred by the Speaker to the Committee on Transportation.

**Business Programs Division Uniform Commercial Code Section
Report to the Legislature
(Pursuant to Uniform Commercial Code Section 9527)**

Above transmitted report, together with letter of transmittal from Kevin Shelley, Secretary of State, dated January 30, 2004, referred by the Speaker to the Committee on Judiciary.

**2003 Progress Report on Securing Supplemental Sources of Water
to Augment Existing Supplies During Dry Years
(Pursuant to Assembly Bill 1823, Chapter 841, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Patricia E. Martel, General Manager, San Francisco Public Utilities Commission, dated January 23, 2004, referred by the Speaker to the Committee on Local Government.

**Metropolitan Water District of Southern California
Complaint and Communications from its Member Public Agencies
Annual Report
(Pursuant to Senate Bill 520, Chapter 524, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Ronald R. Gastelum, Chief Executive Officer, Metropolitan Water District of Southern California, dated January 30, 2004, referred by the Speaker to the Committee on Local Government.

**2002 Statewide Employee Housing Statistical Summary
(Pursuant to Health and Safety Code Sections 17031.8 and 17050(f)(1))**

Above transmitted report, together with letter of transmittal from Matthew O. Franklin, Director, Department of Housing and Community Development, dated January 30, 2004, referred by the Speaker to the Committee on Housing and Community Development.

**2003 Report on Unrefunded Gasoline Tax Used for
Off-Highway Agriculture Purposes
(Pursuant to Revenue and Taxation Code Section 8352.5)**

Above transmitted report, together with letter of transmittal from Jeff Morales, Director, Department of Transportation, dated December 3, 2003, referred by the Speaker to the Committee on Revenue and Taxation.

**California State University
Lottery Revenue Receipts and Expenditure Report
(Pursuant to Budget Act 2002–03, Section 24.60)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated January 26, 2004, referred by the Speaker to the Committee on Budget.

**Subcontractor Written Complaints of Late Payment
(Pursuant to Public Contract Code Section 10262.5(c))**

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 January 29, 2004, referred by the Speaker to the Committee on Business and Professions.

**2003 Annual Report to the Legislature and
the California Integrated Waste Management Board—Senate Bill 876
Waste and Used Tires
(Pursuant to Senate Bill 876, Chapter 838, Statutes of 1999)**

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 January 29, 2004, referred by the Speaker to the Committee on Natural Resources.

**Certified Disabled Veteran Business Enterprise (DVBE)
Small Business Contracting Activity and/or Race, Ethnicity
and Gender Business Ownership Reports from:**

Department of Veterans Affairs, Leon Tuttle, Interim Secretary, dated January 27, 2004;

Office of the Treasurer, Hugo Lopez, Director, Administration Division, dated January 28, 2004;

California Coastal Commission, Lane Eye, Chief, Administrative Services;

California Energy Commission, Robert L. Therkelsen, Executive Director, dated December 29, 2003;

Department of Industrial Relations, Karen Wong, SSM II, DVBE Coordinator, dated February 3, 2004;

Commission on Teacher Credentialing, Crista Hill, Manager, Fiscal and Business Services Section, dated February 3, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

**2002–2003 Emergency Medical Fund (EMS) Reports
(Pursuant to Health and Safety Code Section 1797.98B(a)) from:**

Tulare County, Health and Human Service, Joe Nunez, Deputy Director, Managed Care, dated January 27, 2004;

Merced County, Department of Public Health, John Volanti, M.P.H., Director, dated January 29, 2004;

Yolo County, Health Department, John Freeby, Staff Services Analyst, dated February 4, 2004;

Calaveras County, Health Services Agency, Jeanne M. Boyce, Director, dated January 30, 2004.

Referred by the Speaker to the Committee on Health.

ASSEMBLY RULE 118 SUSPENDED

Assembly Member Chan was granted unanimous consent that Assembly Rule 118 be suspended to permit guests and photographers on the Floor of the Assembly and in the rear of the Assembly Chamber during today's Special Order of Business.

SPECIAL ORDER OF BUSINESS—SWEARING-IN OF SPEAKER-ELECT

The hour having arrived, the Assembly proceeded to the swearing-in of Speaker-elect Fabian Núñez to the Office of Speaker of the Assembly.

(NOTE: Special Order set for 12:30 p.m.)

INTRODUCTION OF CONSTITUTIONAL OFFICERS

Speaker Wesson introduced Hon. Cruz M. Bustamante, Lieutenant Governor; Hon. Kevin Shelley, Secretary of State; Hon. Steve Westly, Controller; Hon. Jack O'Connell, Superintendent of Public Instruction; Hon. John Garamendi, Insurance Commissioner; and Board of Equalization Members, Hon. Claude Parrish (District 3) and Hon. John Chiang (District 4).

INTRODUCTION OF CHIEF JUSTICE OF CALIFORNIA

Speaker Wesson introduced Hon. Ronald M. George, Chief Justice of California.

FORMER SPEAKERS INTRODUCED

Speaker Wesson introduced former Speakers of the Assembly Hon. Robert T. Monagan (55th Speaker), Hon. Leo T. McCarthy (57th Speaker), Hon. Willie L. Brown, Jr. (58th Speaker), Hon. Curt Pringle (61st Speaker), Hon. Cruz M. Bustamante (62nd Speaker), Hon. Antonio R. Villaraigosa (63rd Speaker), and Hon. Robert M. Hertzberg (64th Speaker).

MEMBERS' REMARKS

Special remarks were offered by Assembly Members Frommer, Oropeza, Aghazarian, Montanez, Plescia, Jerome E. Horton, McCarthy, and Goldberg.

FURTHER INTRODUCTION OF SPECIAL GUESTS

Speaker Wesson introduced his wife, Mrs. Fabian Wesson, Rev. Jesse Jackson, and Hon. James K. Hahn, Mayor of Los Angeles.

APPOINTMENT OF SELECT COMMITTEE ON ESCORT

Speaker Wesson appointed former Speakers, Hon. Robert T. Monagan, Hon. Willie L. Brown, Jr., Hon. Curt Pringle, Hon. Cruz M. Bustamante, Hon. Antonio R. Villaraigosa, Hon. Robert M. Hertzberg, and Hon. Leo T. McCarthy, as a Select Committee on Escort to escort Speaker-elect Fabian Núñez and his daughter Teresa Núñez to the Rostrum.

OATH OF OFFICE ADMINISTERED

At 1:14 p.m. Speaker-elect Fabian Núñez appeared at the bar of the Assembly and took and subscribed to the following oath of office administered by Hon. Ronald M. George, Chief Justice of California. Teresa Núñez held the Bible during the administration of the oath.

OATH*for the Office of Speaker of the Assembly*

I do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

FABIAN NUÑEZ

Subscribed and sworn to before me,
This 9th day of February
A.D. 2004

The Honorable Ronald M. George
Chief Justice of California

PRESENTATION OF SPEAKER NUÑEZ

Former Speaker Wesson then presented the 66th Speaker of the California State Assembly, Hon. Fabian Núñez, whereupon he addressed the assemblage.

Address by Speaker Fabian Núñez

Lt. Governor Bustamante, Secretary of State Shelley, Controller Westly, Superintendent O'Connell, Commissioner Garamendi, Chief Justice George, Members of the Board of Equalization, Senate Republican Leader Brulte, Assembly Republican Leader McCarthy, and my colleagues in the Assembly and Senate . . . thank you for being here today.

Let me add special words of thanks to the former Speakers who are with us. Speakers Monagan, McCarthy, Brown, Pringle, Bustamante, Villaraigosa, Hertzberg and Wesson, we are honored to have you here with us today.

Mayor Brown, in your four decades of public service, no one has left as big an imprint on this house and on this great state. Thank you for your advice over the last months.

Councilmember Villaraigosa, my brother, you kept me strong. Thank you for your guidance and advice.

And finally, I'd be remiss if I didn't say a couple of words about Speaker Wesson. History will remember you as the Speaker who weathered some of our state's stormiest times. You believed in me. Thank you for your counsel.

Members, I stand before you today humbled at the trust you have placed in me, and energized by the opportunities before us.

My life has been blessed by the tremendous love and support of my family. Many of them are with us today. Will you please stand and be recognized. Thank you so much for coming.

Most of you know, I have 11 brothers and sisters. Each of them has shaped my life in a special way.

Let me tell you about just one, my brother Pablo. You won't read about him in the newspaper or see him on television, but he has been a role model for me. He has been a light to turn to in difficult times.

Pablo was the first in my family to go to college. It wasn't easy for him or the family, but he did it.

And when the time came, he made sure I went to college, too. To Pablo, I owe a debt that I can never repay.

No father can celebrate a day like this without thinking of his children.

My three—Esteban, Teresa and Carlos—are my constant reminder how precious life is. Kids, each day, you let me see the world new again.

My parents had very little schooling, but they were my greatest teachers. Their values guide me to this day.

My mom taught me compassion, caring and love. When I fell down, she picked me up and dried my tears. She brought me closer to God. She taught me the joy of giving to others.

My Dad taught me the value of hard work. He came to this country as a Bracero—a man willing to take on the back-breaking jobs others turned down.

My parents worked with their hands. For more than 50 years, they worked night and day to support our family.

For generations people have brought their talents and hopes to California.

In California we don't chase our dreams—we put them to work.

In California, my parents didn't chase their dreams, they put them to work.

Each of us has a vision for California.

Loni Hancock wants a California that has great schools for every child.

Merv Dymally envisions a California that provides quality healthcare to children, the sick and the elderly.

Ron Calderon sees a California with a strong business climate, and one that's fair to workers and their families.

Rick Keene wants a California with an agricultural industry that is second to none.

Fran Pavley looks forward to a California with clean air and water, one that protects its natural resources for generations to come.

George Nakano sees a California free of prejudice and discrimination where everyone is treated with dignity.

Russ Bogh sees a California where every family feels safe and secure in their homes.

Lois Wolk wants a California where government is responsive—and responsible.

John Laird looks forward to the day when California fully recognizes the civil rights of every person, regardless of who they love.

We all want a California where everyone has a shot at the American Dream . . . that potent force that drove us and our forefathers to come here from across the country, across rivers and across seas.

But members, like me, you know that our vision alone is not enough. In California we don't chase our dreams—we put them to work.

We must start by taking a fresh look at ourselves, and our thinking.

Each of us comes to this house with strongly held beliefs. While our beliefs can be the starting point of our conversations, they should not be the end.

To do our best work, we need the right tools. We need to renew the way we run our own house.

You have told me overlapping committee assignments create conflicts. Conflicts that can keep you from doing your best work. That's going to change.

Over the course of my tenure, I will reduce committee sizes, in some cases by as much as one-third, so members are free to examine issues in greater depth.

Members, we must do more than chase our dreams—we must put them to work.

Once again this year, our greatest challenge will be balancing the budget.

Democrat and Republican alike, we all are ready to face this challenge head-on. And we must be ready to craft solutions that lessen the human toll of the tough choices ahead.

Finding a fair way to complete this task will take courage.

Courage to balance the budget without placing an unfair burden on those who cannot bear it.

Courage to invest in our future without closing the doors of educational opportunity.

Courage to set aside political advantage in the name of what is right and what is just.

And we need to start now. I will call the Assembly budget committee into session immediately to begin those discussions.

Every subcommittee will hold full and thorough hearings on how the budget will impact each program it oversees.

Members, we must all commit to pass a budget that's balanced and on time.

But acting swiftly does not mean acting carelessly. The actions we take to balance our budget today should not dash our hopes for tomorrow.

We face other challenges, too.

Governor Schwarzenegger has called upon us to pass additional workers' compensation reform.

Each of us has heard the pleas of small business owners. They face difficult choices.

Each of us wants to respond to their concerns. We must find a way to balance their needs with the needs of workers who are injured on the job.

I have already called on the Assembly Insurance Committee to convene. But in order to continue on the path of real reform—reform that's fair to both injured workers and employers—we need to bring all stakeholders together.

And Governor, we are ready to work with you on these issues today . . . tomorrow . . . day or night . . . anytime you are ready to bring all sides to the table.

Let me conclude by issuing a challenge of my own.

Not long ago, an energy crisis crippled our state. And while the situation has stabilized for the moment, it's a mistake to think the problem is behind us.

Let us resolve to work together, now, before the next crisis comes, to put California's energy house in order.

Ladies and Gentlemen, today is a wonderful day for me.

But tomorrow and the days to come will be filled with hard work for all of us.

As Theodore Roosevelt once said: "Far and away the best prize that life offers is the chance to work hard at work worth doing."

We know that the vision we share for a new California is one of opportunity for all, a California of justice, fairness and hope.

California is more than a dream worth chasing. It's a dream worth putting to work.

I'm ready. I know you're ready. So let's get to work. Thank you.

INTRODUCTION OF THE GOVERNOR

Acting Speaker Wesson introduced Hon. Arnold Schwarzenegger, Governor of the State of California.

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 Loretta Mahoney, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Plescia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cheryl Betyar, of Poway.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Acting Speaker Wesson announced the following session schedule for the coming week:

Tuesday, February 10th—Check-in session, 7 a.m. to 3 p.m.;

Wednesday, February 11th—Check-in session, 7 a.m. to 3 p.m.;

Thursday, February 12th—Floor session, 9 a.m.;

Friday, February 13th—Check-in session, 7 a.m. to 3 p.m.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until Thursday, February 12, 2004.

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 Mayor Frank Taubitz, of Ferndale.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert Putarman, of La Puente.

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 Frances Ruth Toperzer, of Orinda.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Juanita “Rosie” Coan, of Pittsburg; and Nicholas Scott Gulbransen, of Oakley.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daisy Rae Aldredge, of Fresno.

MOTION TO ADJOURN

At 1:42 p.m., Assembly Member Ridley-Thomas moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:42 p.m., Acting Speaker Wesson declared the quorum call of the Assembly dispensed with.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1897—Reyes. An act to amend Section 35012 of the Education Code, relating to school districts.

ASSEMBLY BILL NO. 1898—Nakano. An act to amend Section 1799.2 of the Health and Safety Code, relating to emergency medical services.

ASSEMBLY BILL NO. 1899—Runner. An act to add Section 11100.02 to the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 1900—Runner. An act to amend Section 11107.1 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 1901—Ridley-Thomas. An act to amend Section 1203.1abc of the Penal Code, relating to criminal offenders.

ASSEMBLY BILL NO. 1902—Maddox. An act to amend Section 7520 of the Business and Professions Code, relating to private investigators.

ASSEMBLY BILL NO. 1903—Maddox. An act to amend Section 65008 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 1904—Maddox. An act to amend Section 27279.3 of the Government Code, relating to county recorders.

ASSEMBLY BILL NO. 1905—Parra (Coauthors: Chavez, Shirley Horton, and Vargas). An act to add Section 107.4 to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1906—Lowenthal. An act to amend Section 25299.43 of the Health and Safety Code, relating to hazardous materials.

ASSEMBLY BILL NO. 1907—Pacheco. An act to amend Section 451.5 of the Penal Code, relating to arson.

ASSEMBLY BILL NO. 1908—Canciamilla. An act to amend Section 10011 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1909—Dutra. An act to add Section 1714.4 to the Civil Code, relating to products liability.

ASSEMBLY BILL NO. 1910—Harman. An act to amend Sections 7611 and 7630 of the Family Code, to amend Sections 10172 and 10172.5 of the Insurance Code, and to amend Section 6453 of, and to add Sections 249.5, 249.6, 249.7, and 249.8 to, the Probate Code, relating to probate.

ASSEMBLY BILL NO. 1911—Richman. An act to add Section 13997.2 to the Government Code, relating to international trade, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1912—Richman. An act to amend Section 47 of the Civil Code, relating to privileged communications.

ASSEMBLY BILL NO. 1913—Cohn. An act to amend Section 1522 of the Health and Safety Code, and to repeal and amend Section 361.4 of the Welfare and Institutions Code, relating to foster care.

ASSEMBLY BILL NO. 1914—Montanez. An act to amend Section 32500 of, and to add Sections 32501, 32502, and 32503 to, the Education Code, and to repeal Section 2053.4 of the Penal Code, relating to education in state prisons.

ASSEMBLY BILL NO. 1915—Lowenthal. An act to add Section 1679 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1916—Maddox. An act to amend Section 7280 of, and to add Sections 7283.5 and 7283.51 to, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1917—Maze. An act to add Section 1714.75 to the Civil code, relating to liability.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 22—Dutra. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending subdivision (b) of Section 14 of Article II thereof, by amending subdivision (1) of Section 8 of Article III thereof, by amending subdivision (b) of Section 18 of Article IV thereof, by amending subdivision (b) of Section 5 of, and by amending subdivision (f) of Section 14 of, Article V thereof, by amending subdivision (a) of Section 10 of Article VII thereof, by amending subdivision (j) of Section 3 of, by amending subdivision (g) of Section 11 of, by amending Sections 17, 18, and 19 of, by amending subdivision (h) of Section 28 of, and by adding Section 17.5 to, Article XIII thereof, by amending the ninth paragraph of subdivision (d) of Section 22 of Article XX thereof, and by amending the heading of, and by amending Section 1 of, Article XXI thereof, relating to taxation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 173—McCarthy. Relative to California Nonprofits and Philanthropy Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 174—Kehoe. Relative to Arts Education Month.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have made the following changes to the Democratic Leadership for the 2003–04 Regular Session:

Speaker pro Tempore	Hon. Leland Yee
Assistant Speaker pro Tempore	Hon. Sally Lieber
Majority Floor Leader/Majority Leader	Hon. Dario Frommer
Assistant Majority Leader	Hon. Ron Calderon
Majority Whip	Hon. Lloyd Levine
Democratic Caucus Chair	Hon. George Nakano
Rules Committee Chair	Hon. Cindy Montanez

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I am reappointing the Democratic membership of the Assembly Rules Committee as follows:

Assemblymember Cindy Montanez, Chair
 Assemblymember Marco Firebaugh
 Assemblymember Loni Hancock
 Assemblymember Christine Kehoe
 Assemblymember Gene Mullin
 Assemblymember Ron Calderon, Democratic Alternate

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: I have removed myself from the membership of the following committees, creating a Democratic vacancy on each:

Assembly Appropriations
Assembly Elections, Redistricting and Constitutional Amendments
Assembly Governmental Organization
Assembly Utilities and Commerce

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymembers Judy Chu and John Laird to replace Assemblymembers Jenny Oropeza and Joe Nation on the Joint Legislative Budget Committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have created the Office of Planning, Policy and Research to be administered by Assemblymember Joe Nation.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 9, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have made the following changes to Assembly Standing and Subcommittees, effective today, February 9, 2004:

Aging and Long-Term Care

I have appointed Assemblymember Patty Berg to replace Assemblymember Lynn Daucher as the Chair of the committee. Assemblymember Daucher will remain as a member of the committee.

Agriculture

Assemblymember Barbara Matthews will remain as Chair of the committee.

Appropriations

I have appointed Assemblymember Judy Chu to replace Assemblymember Darrell Steinberg as Chair of the committee and removing Assemblymember Steinberg as a member.

Arts, Entertainment, Sports, Tourism and Internet Media

I have appointed Assemblymember Ed Chavez to replace Assemblymember Rebecca Cohn as Chair of the committee; Assemblymember Cohn remains as a member of the committee.

Banking and Finance

Assemblymember Patricia Wiggins will remain as Chair of the committee.

Budget

I have appointed Assemblymember Darrell Steinberg to replace Assemblymember Jenny Oropeza as Chair of the committee and removing Assemblymember Oropeza as a member. I have also removed Assemblymember Judy Chu from the Budget Committee, creating a Democratic vacancy on the Committee.

Budget Subcommittee #1—Health and Human Services

I have appointed Assemblymember Mervyn Dymally to replace Judy Chu as Chair of the subcommittee.

Budget Subcommittee #2—Education Finance

Assemblymember Joe Simitian remains as Chair of the subcommittee.

Budget Subcommittee #3—Resources

Assemblymember Fran Pavley remains as Chair of the subcommittee.

Budget Subcommittee #4—State Administration

I have appointed Assemblymember John Dutra to replace Assemblymember Rudy Bermudez as Chair of the subcommittee.

Budget Subcommittee #5—Information Technology/Transportation

Assemblymember Manny Diaz remains as Chair of the subcommittee.

Business and Professions

Assemblymember Lou Correa remains as Chair of the committee.

Education

Assemblymember Jackie Goldberg remains as Chair of the committee.

Elections, Redistricting and Constitutional Amendments

Assemblymember John Longville remains as Chair of the committee.

Environmental Safety and Toxic Materials

Assemblymember John Laird remains as Chair of the committee.

Governmental Organization

Assemblymember Jerome Horton remains as Chair of the committee.

Health

I have appointed Assemblymember Rebecca Cohn to replace Assemblymember Dario Frommer as Chair of the committee; Assemblymember Frommer remains as a member.

Higher Education

Assemblymember Carol Liu remains as Chair of the committee.

Housing and Community Development

Assemblymember Alan Lowenthal remains as Chair of the committee.

Human Services

Assemblymember Lois Wolk remains as Chair of the committee.

Insurance

Assemblymember Juan Vargas remains as Chair of the committee.

Jobs, Economic Development and the Economy

Assemblymember Mark Ridley-Thomas remains as Chair of the committee.

Judiciary

Assemblymember Ellen Corbett remains as Chair of the committee.

Labor and Employment

Assemblymember Paul Koretz remains as Chair of the committee.

Local Government

Assemblymember Simon Salinas remains as Chair of the committee.

Natural Resources

Assemblymember Hannah-Beth Jackson remains as Chair of the committee.

Public Employees, Retirement and Social Security

Assemblymember Gloria Negrete McLeod remains as Chair of the committee.

Public Safety

Assemblymember Mark Leno remains as Chair of the committee.

Revenue and Taxation

I have appointed Assemblymember Rudy Bermudez to replace Assemblymember Ed Chavez as Chair of the committee; Assemblymember Chavez remains on the committee filling the Democratic vacancy.

Transportation

I have appointed Assemblymember Jenny Oropeza to replace Assemblymember John Dutra as Chair of the committee; removing Assemblymember Dutra from the committee.

Utilities and Commerce

Assemblymember Sarah Reyes remains as Chair of the committee.

Veterans Affairs

Assemblymember Nicole Parra remains as Chair of the committee.

Water, Parks and Wildlife

Assemblymember Joe Canciamilla remains as Chair of the committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 9, 2004

E. Dotson Wilson

*Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have made the following committee changes:

Removed Assemblymember John Dutra from the Assembly Judiciary.

Appointed Assemblymember John Dutra to replace Assemblymember Rebecca Cohn on the Assembly Governmental Organization Committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

AUTHOR'S AMENDMENTS
Committee on Appropriations

February 9, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 772

Senate Bill No. 871

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

SENATE BILL NO. 772—An act to amend Sections 955.1 and 3440.1 of the Civil Code, to amend Section 9109 of the Commercial Code, and to amend Section 1731 of, to add Section 1769 to, and to add Article 5.6 (commencing with Section 848) to Chapter 4 of Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

SENATE BILL NO. 871—An act to amend Section 51852 of the Education Code, and to add Section 1810.3 to the Vehicle Code, relating to vehicles.

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, February 9, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 311

Senate Bill No. 976

Senate Joint Resolution No. 23

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, February 9, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 44

Assembly Bill No. 1087

Assembly Bill No. 1498

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, February 9, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 153

Assembly Concurrent Resolution No. 160

Assembly Concurrent Resolution No. 164

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, February 9, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 57

Senate Concurrent Resolution No. 58

GREGORY P. SCHMIDT, Secretary of the Senate

By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 57—Relative to “Go Red for Women Day.”

SENATE CONCURRENT RESOLUTION NO. 58—Relative to California Private School Recognition Day.

LAST DAY TO CONSIDER GOVERNOR’S VETOES

Pursuant to Joint Rule 58.5, Friday, February 6th was the last day to consider the Governor’s veto of Assembly Bills Nos. 1748 and 1765.

ADJOURNMENT

At 3:45 p.m., pursuant to the motion by Assembly Member Ridley-Thomas, the Assembly adjourned until 7 a.m., Tuesday, February 10, 2004, out of respect to the memory of Frances Ruth Toperzer, on motion of Assembly Member Hancock; out of respect to the memory of Daisy Rae Aldredge, on motion of Assembly Member Reyes; out of respect to the memory of Mayor Frank Taubitz, on motion of Assembly Member Berg; out of respect to the memory of Juanita “Rosie” Coan and Nicholas Scott Gulbransen, on motion of Assembly Member Houston; out of respect to the memory of Robert Putarman, on motion of Assembly Member Chavez; out of respect to the memory of Loretta Mahoney, on motion of Assembly Member Wiggins; and out of respect to the memory of Cheryl Betyar, on motion of Assembly Member Plescia.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 9, 2004**

The following measures were amended in the Assembly on this day:

SB	RN
772	0405551
871	0405498

Daily Total:	2
Cumulative Total:	3165

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 10, 2004

**ONE HUNDRED FIFTIETH SESSION DAY
FOUR HUNDRED THIRTY-SIXTH 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
Tuesday, February 10, 2004

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—70:

Aghazarian	Dutton	Levine	Pavley
Bates	Dymally	Liu	Plescia
Benoit	Frommer	Longville	Reyes
Berg	Garcia	Lowenthal	Richman
Bermudez	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Spitzer
Chavez	Horton, Shirley	Montanez	Steinberg
Chu	Houston	Mountjoy	Vargas
Cohn	Jackson	Mullin	Wesson
Corbett	Kehoe	Nakanishi	Wiggins
Correa	La Malfa	Nakano	Wolk
Cox	La Suer	Negrete McLeod	Yee
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	

Quorum present.

At 1:38 p.m., Hon. Lois Wolk, 8th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Chan, Cogdill, Keene, Koretz, Nation, and Simitian.

On legislative business, and waiving per diem: Assembly Member Strickland.

Because of illness: Assembly Members Firebaugh and Wyland.

Because of jury duty: Assembly Member Lieber.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 10, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am requesting to be excused from Check-In Session on Tuesday, February 10, 2004 and Wednesday, February 11, 2004, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check in session on Tuesday, February 10, 2004. I will be in my district on legislative business.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219*

Dear Mr. Speaker: I respectfully request to be excused from check-in session, Tuesday, February 10, 2004 due to a legislative speaking engagement in Los Angeles.

Please call Kelly Garman in my Capitol office with any questions or concerns. Thank you for your consideration of this request.

Sincerely,

RICK KEENE, Assembly Member
Third District

February 9, 2004

The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request that I be excused from check in on Tuesday, February 10, 2004 and Wednesday, February 11, 2004. I will be convening a staff retreat in my district. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

February 9, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Check-In Session on Tuesday, February 10, 2004 due to legislative business regarding Workers Compensation Reform at the University of Southern California.

Thank you for your consideration of this request.

Sincerely,

JOE NATION, Assembly Member
Sixth District

February 9, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker,

This is a request to be excused from Check-In Session on Tuesday, February 10, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

February 9, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request that you waive my per diem for the dates of February 10, 2004 and February 11, 2004 due to out of town legislative business.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 10, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Wilma Chan to replace Assemblymember Rebecca Cohn as Chair of the Joint Legislative Audit Committee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1918—Montanez. An act to amend Sections 44977 and 45196 of the Education Code, relating to school employees.

ASSEMBLY BILL NO. 1919—Samuelian. An act to amend Sections 66 and 67 of, and to repeal Section 66.5 of, the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 1920—La Malfa. An act to amend Section 422.6 of the Penal Code, relating to rights.

ASSEMBLY BILL NO. 1921—Canciamilla. An act to amend Section 10615 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1922—Nation. An act to add Section 60242.6 to the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 1923—Lowenthal. An act to amend Section 6401.7 of the Labor Code, relating to occupational safety and health.

ASSEMBLY BILL NO. 1924—Bogh (Principal coauthor: Senator Battin). An act to amend Section 456 of the Penal Code, and to amend Sections 4299 and 4376 of the Public Resources Code, relating to fire prevention.

ASSEMBLY BILL NO. 1925—Haynes. An act to amend Section 51938 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 1926—Bermudez. An act to amend Section 4005 of the Fish and Game Code, relating to trapping licenses.

ASSEMBLY BILL NO. 1927—Cohn. An act to amend Section 1373 of, and to add Sections 1373.35 and 1373.45 to, the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 1928—Parra (Coauthor: Senator Machado). An act to add and repeal Article 19 (commencing with Section 18881) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 1929—Samuelian. An act to amend Section 53270 of the Government Code, relating to firefighters.

ASSEMBLY BILL NO. 1930—Negrete McLeod (Principal coauthor: Cogdill). An act to amend Section 6516.9 of the Government Code, relating to joint exercise of powers.

ASSEMBLY BILL NO. 1931—La Malfa. An act to amend Section 830.1 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 1932—Maze. An act relating to public postsecondary education.

ASSEMBLY BILL NO. 1933—Pacheco. An act to amend Sections 6253 and 6254 of the Government Code, relating to public records.

ASSEMBLY BILL NO. 1934—Leslie. An act to amend Section 115825 of, and to add Section 115843 to, the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 1935—Bogh. An act to amend Section 10754 of the Revenue and Taxation Code, relating to taxation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 175—Samuelian. Relative to Hmong History Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 176—Bogh. Relative to George Washington's birthday.

ADJOURNMENT

At 4:10 p.m., the Assembly adjourned until 7 a.m., Wednesday, February 11, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 11, 2004

**ONE HUNDRED FIFTY-FIRST SESSION DAY
FOUR HUNDRED THIRTY-SEVENTH 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
Wednesday, February 11, 2004

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th District, presiding.
Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Aghazarian	Dutton	Laird	Oropeza
Bates	Dymally	Leno	Parra
Benoit	Firebaugh	Leslie	Pavley
Berg	Frommer	Levine	Plescia
Bermudez	Garcia	Liu	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maddox	Ridley-Thomas
Campbell	Harman	Maldonado	Runner
Canciamilla	Haynes	Matthews	Salinas
Chu	Horton, Jerome	Maze	Samuelian
Cogdill	Horton, Shirley	McCarthy	Spitzer
Cohn	Houston	Montanez	Steinberg
Corbett	Jackson	Mountjoy	Vargas
Correa	Keene	Mullin	Wesson
Cox	Kehoe	Nakanishi	Wiggins
Daucher	Koretz	Nakano	Wolk
Diaz	La Malfa	Nation	Yee
Dutra	La Suer	Negrete McLeod	Mr. Speaker

Quorum present.

At 1:40 p.m., Hon. Russ Bogh, 65th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Chan, Chavez, Longville, Pacheco, and Simitian.

On legislative business, and waiving per diem: Assembly Member Strickland.

On personal business, and waiving per diem: Assembly Member Lieber.

Because of illness: Assembly Member Wyland.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 11, 2004

The Honorable Fabian Nunez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker Nunez: I respectfully request that I be excused from check-in session on Wednesday, February 11, 2004. The purpose is to attend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

February 11, 2004

The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused for check-in session on Wednesday, February 11, 2004 due to legislative business in my district.

Thank you for your consideration of this request. If your staff should have any further questions or require additional information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

February 9, 2004

The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room #219
Sacramento, California

Dear Speaker Nunez: I respectfully request that I be excused from Assembly Check-in Session for Wednesday, February 11, 2004. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending check-in session. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

This is a request to be excused from Check-In Session on Wednesday, February 11, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

(NOTE: For letters explaining the absence of Assembly Member Chan on this day on legislative business and the absence of Assembly Member Strickland on this day on legislative business and waiving per diem, pursuant to the Assembly Rules, see Assembly Daily Journal for February 10, 2004.)

COMMUNICATIONS Proposed Initiative

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 5, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

State Electoral Districts.

San Francisco Bay Area Regional Authority Board.

Initiative Constitutional Amendment. SA 2003RF0060, Amdt. #3-NS

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1936—Berg (Coauthor: Senator Aanestad). An act to amend Section 56030 of the Government Code, relating to local government organization.

ASSEMBLY BILL NO. 1937—Corbett. An act to add Section 290.9 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 1938—Maze. An act to amend Sections 23536, 23540, and 23546 of, and to add Section 23579 to, the Vehicle Code relating to vehicles.

ASSEMBLY BILL NO. 1939—Cox. An act to add Section 429.6 to the Government Code, relating to veterans.

ASSEMBLY BILL NO. 1940—Chan. An act to add Section 57013 to the Health and Safety Code, relating to hazardous chemicals.

ASSEMBLY BILL NO. 1941—Chan. An act to amend Sections 851.5, 1170, 1170.3, 1170.45, 1203, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 1942—Lowenthal. An act to amend Sections 25200 and 25200.15 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1943—Leslie. An act to amend Section 27279.1 of the Government Code, relating to recorded documents.

ASSEMBLY BILL NO. 1944—Hancock (Principal coauthor: Senator Torlakson). An act to amend Section 48205 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 1945—Nakano. An act to amend Section 1569.616 of the Health and Safety Code, relating to residential care facilities for the elderly.

ASSEMBLY BILL NO. 1946—Steinberg. An act to amend Section 1170 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 1947—Strickland. An act to amend Section 22511.59 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1948—Aghazarian. An act to add Section 727.05 to the Welfare and Institutions Code, relating to wards.

ASSEMBLY BILL NO. 1949—Hancock. An act to amend Section 8482.3 of the Education Code, relating to after school programs.

ASSEMBLY BILL NO. 1950—Wiggins. An act to add Section 1798.81.5 to the Civil Code, relating to privacy.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 23—Daucher, Berg, Canciamilla, Correa, Harman, Liu, Lowenthal, Maldonado, Matthews, Richman, and Wolk. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of, and adding Section 5.1 to, Article II thereof, relating to elections.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 177—Maze. Relative to the University of California.

REPORTS OF STANDING COMMITTEES

Committee on Local Government

Date of Hearing: February 11, 2004

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 1786

With amendments with the recommendation: Amend, and do pass, as amended.

SALINAS, Chair

Above bill ordered to second reading.

Date of Hearing: February 11, 2004

Mr. Speaker: Your Committee on Local Government reports:

Senate Bill No. 1086

With the recommendation: Do pass.

SALINAS, Chair

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, February 12, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 12, 2004

**ONE HUNDRED FIFTY-SECOND SESSION DAY
FOUR HUNDRED THIRTY-EIGHTH 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, February 12, 2004

The Assembly met at 9 a.m.

Hon. Fabian Nunez, Speaker 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 Cogdill moved a quorum call of the Assembly.

Motion carried. Time, 9:01 a.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:10 a.m., Speaker Nunez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—73:

Aghazarian	Dymally	Levine	Plescia
Bates	Firebaugh	Lieber	Reyes
Benoit	Frommer	Liu	Ridley-Thomas
Berg	Garcia	Lowenthal	Runner
Bermudez	Goldberg	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	Maze	Simitian
Canciamilla	Haynes	McCarthy	Spitzer
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mountjoy	Strickland
Chu	Houston	Mullin	Vargas
Cogdill	Jackson	Nakanishi	Wesson
Cohn	Keene	Nakano	Wiggins
Corbett	Koretz	Nation	Wolk
Correa	La Malfa	Negrete McLeod	Yee
Cox	La Suer	Oropeza	Mr. Speaker
Diaz	Laird	Pacheco	
Dutra	Leno	Parra	
Dutton	Leslie	Pavley	

PRAYER

Upon invitation of Speaker Nunez, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord God, We cannot place ourselves directly in Your presence unless we impose upon ourselves, interior and exterior silence. Help us to accustom ourselves to stillness of the soul, stillness of the eyes and stillness of the tongue. For there is no life of prayer without silence. Everything good that happens in our life begins with prayer to You, and that prayer is born in the silence of our hearts.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Nunez, Assembly Member Chan then led the Assembly in the pledge of allegiance to the Flag.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member McCarthy.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Daucher, Kehoe, Longville, Maddox, and Richman.

On personal business, and waiving per diem: Assembly Member Campbell.

Because of illness: Assembly Member Wyland.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I hereby request that I be excused from session on Thursday, February 12, 2004 so that I may return to my District on legislative business.

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

February 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, February 12, and Friday, February 13, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to have my absence excused for floor session on February 12, 2004, as I will be on legislative business in my district.

Thank you for your consideration.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from check-in session on Thursday, February 12th and session on Friday, February 13th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDUX, Assembly Member
Sixty-eighth District

February 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from attending session Thursday, February 12, 2004. I will be speaking Thursday morning and would like to be excused from attending session that day.

Thank you for your prompt attention to my request. Please contact Connie Bosserman in my office at (916) 319-2038 if you have any questions.

Sincerely,

KEITH S. RICHMAN, M.D., Assembly Member
Thirty-eighth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 12, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on Science, Mathematics and Technology for the 2003–04 Regular Session and have appointed Assemblymember Mervyn Dymally as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communication was presented by the Chief Clerk from:

Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated January 30, 2004, relative to a delay in submitting a report on Disenrolled Students (required pursuant to Supplemental Report to the 2001 Budget Act).

Referred by the Speaker to the Committee on Budget.

REPORTS

The following reports were presented by the Chief Clerk:

**Reading, Writing, and Mathematics Proficiency
of All First-time Freshmen
(Pursuant to Supplemental Report to the 2001 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated February 2, 2004, referred by the Speaker to the Committee on Budget.

**California State Teachers' Retirement System
Comprehensive Annual Financial Report
Fiscal Year Ended June 30, 2003
(Pursuant to Education Code Section 22324)**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, State Teachers' Retirement System, dated February 5, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Summary of Federal Income Tax Changes—2003
(Pursuant to Government Code Section 9795)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated February 3, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1951—Benoit. An act to amend Section 21461 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1952—Berg (Coauthor: Senator Chesbro). An act to amend Section 5689.3 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 1953—Vargas. An act to amend Section 15027 of the Insurance Code, relating to public insurance adjusters.

ASSEMBLY BILL NO. 1954—Vargas. An act to amend Section 32282 of the Education Code, relating to school safety.

ASSEMBLY BILL NO. 1955—Vargas. An act to add Section 1140.1 to the Insurance Code, relating to life insurance.

ASSEMBLY BILL NO. 1956—Wolk. An act to amend Sections 1001.20, 1001.21, 1001.22, and 1001.23 of the Penal Code, relating to diversion.

ASSEMBLY BILL NO. 1957—Frommer, Chu, Pavley, and Ridley-Thomas. An act to add Article 25 (commencing with Section 4430) to Chapter 9 of Division 2 of the Business and Professions Code, and to add Sections 14982 and 14983 to the Government Code, relating to prescription drugs, and making an appropriation therefor.

ASSEMBLY BILL NO. 1958—Frommer, Chu, Pavley, and Ridley-Thomas. An act to amend Section 22791.5 of the Government Code, relating to the Public Employees' Medical and Hospital Care Act.

ASSEMBLY BILL NO. 1959—Chu, Frommer, Pavley, and Ridley-Thomas. An act to amend Section 14977.1 of, and to add Section 22790.1 to, the Government Code, and to amend Section 14105.33 of the Welfare and Institutions Code, relating to health care contracts.

ASSEMBLY BILL NO. 1960—Pavley, Chu, Frommer, and Ridley-Thomas. An act to add Article 8 (commencing with Section 4130) to Chapter 9 of Division 2 of the Business and Professions Code, relating to pharmacy benefits management.

ASSEMBLY BILL NO. 1961—Harman. An act to add Article 4 (commencing with Section 116022) to Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, relating to water public safety.

ASSEMBLY BILL NO. 1962—Cox. An act to amend Sections 12340.5 and 12389 of the Insurance Code, relating to underwritten title companies.

ASSEMBLY BILL NO. 1963—Salinas. An act to amend Sections 1179.1, 104105, 104120, 104317, 104318, 104564, 105285, 120800, and 123515 of, and to add Sections 152.1 and 104250 to, the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 1964—Leslie. An act to add Section 1866 to the Civil Code, relating to evictions.

ASSEMBLY BILL NO. 1965—Hancock. An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 1966—Campbell. An act relating to energy resources.

ASSEMBLY BILL NO. 1967—Leno, Goldberg, Kehoe, Laird, and Lieber (Principal coauthor: Senator Kuehl) (Coauthors: Chan, Dymally, Firebaugh, Hancock, Koretz, Levine, Longville, Montanez, Nation, Oropeza, Simitian, Steinberg, Wiggins, and Yee). An act to amend Sections 300, 301, and 302 of the Family Code, relating to marriage.

ASSEMBLY BILL NO. 1968—Dutra. An act to amend Sections 3050 and 3066 of, and to add Section 3065.2 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1969—Negrete McLeod. An act to add Sections 89500.7 and 92611.7 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 1970—Harman. An act to add Section 65584.7 to the Government Code, relating to land use.

ASSEMBLY BILL NO. 1971—Lowenthal. An act to amend Section 40720 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 1972—Steinberg. An act to amend Section 51220 of, and to add Section 60605.4 to, the Education Code, relating to curriculum.

ASSEMBLY BILL NO. 1973—Nation. An act to repeal Section 3572 of the Government Code, relating to the California State University.

ASSEMBLY BILL NO. 1974—Nation. An act relating to workers' compensation.

ASSEMBLY BILL NO. 1975—Bermudez. An act relating to prisoners.

ASSEMBLY BILL NO. 1976—Maze. An act to amend Section 7195 of the Business and Professions Code, relating to home inspections.

ASSEMBLY BILL NO. 1977—Maze. An act to add Section 31720.2 to the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 1978—Haynes. An act to amend Section 204 of the Code of Civil Procedure, relating to jurors.

ASSEMBLY BILL NO. 1979—Wiggins An act to amend Section 1916.5 of the Civil Code, relating to lending.

ASSEMBLY BILL NO. 1980—Wolk. An act to amend Section 18680 of the Elections Code, and to add Section 85301.5 to the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 1981—Wolk and Bates. An act to amend Section 2881 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1982—Wolk. An act to add Section 3706 to the Fish and Game Code, relating to birds.

ASSEMBLY BILL NO. 1983—Wolk. An act to amend Section 8590 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1984—Wolk. An act to add Section 2715.5 to the Public Resources Code, relating to surface mining, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 1985—Wolk. An act to amend Section 1871.3 of the Insurance Code, relating to insurance claims.

ASSEMBLY BILL NO. 1986—Wolk. An act to amend Section 361.4 of the Welfare and Institutions Code, relating to dependent children.

ASSEMBLY BILL NO. 1987—Wolk. An act to amend Section 52314 of the Education Code, relating to regional occupational programs.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Mountjoy (Coauthors: Bates, Benoit, Cogdill, Daucher, Dutton, Haynes, La Malfa, La Suer, Maze, Pacheco, Plescia, and Runner). Relative to the Compressed Air Foam System (CAFS).

ASSEMBLY CONCURRENT RESOLUTION NO. 179—Leslie. Relative to Officer Mark A. White Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 180—Bogh. Relative to a Blue Star Memorial Highway.

ASSEMBLY JOINT RESOLUTION NO. 61—Ridley-Thomas, Pavley, Chu, and Frommer. Relative to prescription drugs.

ASSEMBLY JOINT RESOLUTION NO. 62—Ridley-Thomas, Chu, Frommer, and Pavley. Relative to prescription drug costs.

HOUSE RESOLUTION NO. 42—Pacheco. Relative to eating disorders.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following resolution was referred to committee:

Assembly Concurrent

Resolution No.

Committee

172 ----- Rls.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: February 12, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 172

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolution ordered to third reading.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Public Employees, Retirement and Social Security, on Tuesday, February 17, 2004, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

BILL RETURNED TO SENATE

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 1760 be returned to the Senate for further action.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Senate Bill No. 1041 from the Committee on Elections, Redistricting and Constitutional Amendments, to the Committee on Budget;

Senate Bill No. 1052 from the Committee on Insurance, to the Committee on Budget;

Senate Bill No. 23 from the Committee on Appropriations, to the Committee on Budget.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 1057 be referred from the third reading file to the Committee on Budget.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 1041, 1052, 1057, and 23 for hearing in the Committee on Budget on Tuesday, February 17, 2004.

RECESS

By unanimous consent, at 9:16 a.m., Speaker Nunez declared the Assembly recessed.

RECONVENED

At 9:19 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1786—An act to amend Section 1063 of the Government Code, relating to public officers, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Local Government read and adopted; bill ordered reprinted and to be returned to the second reading file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 1086—An act to amend Section 1091 of the Government Code, relating to conflicts of interest, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1153 (Bermudez)—An act to amend Section 538e of, and to add Section 538g to, the Penal Code, relating to crime, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—67

Aghazarian	Dutton	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maldonado	Runner
Bogh	Hancock	Matthews	Salinas
Calderon	Harman	Maze	Samuelian
Chan	Haynes	McCarthy	Simitian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	La Malfa	Nakano	Wesson
Correa	La Suer	Nation	Wolk
Cox	Laird	Negrete McLeod	Yee
Diaz	Leno	Pacheco	Mr. Speaker
Dutra	Leslie	Parra	

NOES—None

Above bill ordered enrolled.

RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2

Pursuant to Assembly Rule 77.2, Speaker pro Tempore Yee re-referred Assembly Bill No. 806 to the Committee on Public Employees, Retirement and Social Security.

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:

Friday, February 13—Check-in Session, 6 a.m.–3 p.m.;
 Monday, February 16—Holiday—Lincoln's Birthday;
 Tuesday, February 17—Floor Session, 12 noon;
 Wednesday, February 18—Check-in Session, 7 a.m.–3 p.m.;
 Thursday, February 19—Check-in Session, 7 a.m.–3 p.m.;
 Friday, February 20—Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mildred G. Kramer, of Los Angeles.

(Assembly Rule 45.5 suspended.)

CAUCUS ANNOUNCEMENTS

Assembly Member Bogh announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

SPECIAL RECOGNITION

Assembly Member Vargas recognized Michael Mattoch of the Assembly Insurance Committee staff who is leaving the California State Capitol after over 3½ years of exemplary service, whereupon he was joined by the Members of the Assembly in extending best wishes in all future endeavors.

CONSIDERATION OF DAILY FILE (RESUMED)**UNFINISHED BUSINESS (RESUMED)****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 44 (Pacheco)—An act to amend Section 2625 of the Penal Code, and Section 294 of the Welfare and Institutions Code, relating to dependent children, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—68

Aghazarian	Dutra	Leno	Parra
Bates	Dutton	Leslie	Pavley
Benoit	Dymally	Lieber	Plescia
Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maldonado	Runner
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Harman	Maze	Samuelian
Chan	Haynes	McCarthy	Simitian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wesson
Correa	La Malfa	Nation	Wolk
Cox	La Suer	Negrete McLeod	Yee
Diaz	Laird	Pacheco	Mr. Speaker

NOES—None

Above bill ordered enrolled.

SPECIAL RECOGNITION

Assembly Member Pacheco recognized Kevin Gould of his staff who is leaving the California State Capitol after six years of exemplary service, whereupon he was joined by the Members of the Assembly in extending best wishes in all future endeavors.

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 Patricia Ann Warren, of Riverside.

Assembly Members Spitzer and Bates were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Evelyn Evans, of San Juan Capistrano.

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. 1153, Concurrence: Diaz, Houston, Leslie, Mountjoy, Pacheco, Simitian, Spitzer, Strickland, and Vargas—Aye.

Assembly Bill No. 44, Concurrence: Correa—Aye.

MOTION TO ADJOURN

At 9:36 a.m., Assembly Member Matthews moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Maze arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Matthews that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:39 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Matthews, the Assembly adjourned until 6 a.m., Friday, February 13, 2004, out of respect to the memory of Mildred G. Kramer, on motion of Assembly Member Goldberg; out of respect to the memory of Evelyn Evans, on motion of Assembly Members Spitzer and Bates; and out of respect to the memory of Patricia Ann Warren, on motion of Assembly Member Bogh.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 12, 2004**

The following measure was amended in the Assembly on this day:

AB	RN	
1786	0405574	
Daily Total:		1
Cumulative Total:		3166

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 13, 2004

**ONE HUNDRED FIFTY-THIRD SESSION DAY
FOUR HUNDRED THIRTY-NINTH 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
Friday, February 13, 2004

The Assembly met at 6 a.m.

Hon. Mervyn M. Dymally, Assembly Member, 52nd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—46:

Aghazarian	Dutra	Leslie	Negrete McLeod
Bates	Dutton	Levine	Parra
Benoit	Dymally	Liu	Pavley
Berg	Frommer	Longville	Richman
Canciamilla	Garcia	Lowenthal	Ridley-Thomas
Chan	Hancock	Maldonado	Samuelian
Chavez	Harman	Matthews	Steinberg
Chu	Jackson	Maze	Vargas
Cogdill	La Malfa	Mullin	Wiggins
Cohn	La Suer	Nakanishi	Yee
Cox	Laird	Nakano	
Daucher	Leno	Nation	

Quorum present.

At 12:03 p.m., Hon. Gene Mullin, 19th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bermudez, Bogh, Calderon, Corbett, Correa, Diaz, Firebaugh, Goldberg, Haynes, Jerome E. Horton, Shirley Horton, Houston, Kehoe, Koretz, Lieber, Maddox, Mountjoy, Nunez, Oropeza, Pacheco, Plescia, Runner, Salinas, Simitian, Spitzer, and Wesson.

On legislative business, and waiving per diem: Assembly Member Strickland.

On legislative business, per diem waived for the 2003–2004 Session (See Assembly Journal, page, 126): Assembly Member Wolk.

On personal business, and waiving per diem: Assembly Members Campbell, McCarthy, and Reyes.

Because of illness: Assembly Members Keene, Montanez, and Wyland.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This letter is to respectfully request your approval to be excused from Check-In Session on Friday, February 13, 2004, for legislative business in my district.

Your favorable consideration in this matter would be greatly appreciated. If you have any questions, please do not hesitate to contact me.

Respectfully yours,

RUDY BERMUDEZ, Assembly Member
Fifty-sixth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Assembly Speaker Nunez,

This letter is a request to be excused from Session on Friday, February 13th 2004 for legislative business in my District.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

February 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I am writing today to request to be excused from Check in Session on Friday, February 13, 2004 to attend legislative business in my district. If you have any questions please contact Tiffany Morrison in my office at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
Fifty-eighth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Friday, February 13, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

February 13, 2004

*The Honorable Fabian Nunez
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: Although I was in the building this morning for check-in, I inadvertently did not follow the correct procedure to do so. As such, please excuse me from check-in session on Friday, February 13, 2004 for legislative business. I apologize for any inconvenience this may have caused.

Thank you.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: The purpose of this letter is to respectfully request permission to be excused from session/check-in session on Friday, February 13, 2004. I have legislative business to attend to in my district.

Your consideration of this matter is greatly appreciated. If you have any questions please do not hesitate to contact my chief of staff, Saeed Ali at 916.319.2023.

Sincerely,

MANNY DIAZ, Assembly Member
Twenty-third District

February 11, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Friday, February 13, 2004. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2050.

Sincerely,
MARCO ANTONIO FIREBAUGH, Assembly Member
Fiftieth District

February 10, 2004

*Speaker Fabian Nunez
State Capitol
Sacramento, California*

Dear Speaker Nunez: This letter is to request permission to be excused from Check-In session on Friday, February 13, 2004 due to legislative business in my district.

Should you have any questions, please do not hesitate to contact my Executive Assistant, Bertha Mardueño at ext. 2045.

Sincerely,
JACKIE GOLDBERG, Assembly Member
Forty-fifth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the House
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: Please excuse me, Assembly Member Ray Haynes, District #66, from Assembly Check-in Session on Friday, February 13, 2004, due to legislative business in my district.

Sincerely,
RAY HAYNES, Assembly Member
Sixty-sixth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Friday, February 13, 2004, due to legislative business in my district. I will return to Sacramento on Tuesday, February 17, 2004, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

February 10, 2004

*The Honorable Fabian Nunez
Speaker
California State Assembly
State Capitol—Room 219
Sacramento, California*

Dear Speaker Nunez: Please excuse me from check-in session on February 13, 2004. I have legislative business to attend to in my district. Thank you in advance for your consideration and assistance.

Sincerely,

SHIRLEY A. HORTON, Assembly Member
Seventy-eighth District

February 10, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Friday, February 13, 2004 for legislative meetings in my district.

If you have any questions, please contact Julianna Thomas in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

February 9, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request permission to be excused from Floor Session on Friday, February 13, 2004 due to legislative business. If you have any questions or concerns please contact Leticia Klein in my office at 916-319-2042.

Sincerely,

PAUL KORETZ, Assembly Member
Forty-second District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Nunez,

I request to be excused from check in session on February 13, 2004 due to legislative business in my district.

Matt Moretti, my Chief of Staff, is available to respond to any questions at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

February 12, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I request that I be excused from session on Friday, February 13, 2004. I need to attend to Legislative business in my district.

Thank you in advance for your favorable consideration of this request.

Sincerely,

DENNIS MOUNTJOY, Assembly Member
Fifty-ninth District

February 11, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I will be in my district on legislative business on Friday, February 13, 2004.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 9, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Friday, February 13, 2004, due to legislative business in my district.

Thank you for consideration of this request. Please contact my Chief of Staff, Toni Symonds, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

February 9, 2004

*The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from Assembly Check-in Session for Friday, February 13, 2004. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending check-in session. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

February 12, 2004

*Hon. Fabian Nunez
Speaker of the Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from Assembly check-in session on Friday, February 13, 2004. I have legislative business in my district.

If you have any questions regarding this request, please feel free to contact Elizabeth Helmsin in my office at 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
Seventy-fifth District

February 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I am writing to request an excused absence for February 13, 2004. I will be in my district on legislative business, conducting meetings with local leaders concerning workers' compensation.

Should you have any questions regarding this request, please contact Will Smith in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
Thirty-sixth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to respectfully request to be excused from Floor Session on February 13, 2004. I am committed to speak with a group from my area.

If you have any questions about this request, please feel free to contact Jalene Romo in my Capitol Office.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This is a request to be excused from Session or Check-In Session on Friday, February 13, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
Room 219, State Capitol Building
Sacramento, California*

Dear Mr. Speaker: I would like to be excused from session on Friday, February 13, 2004 for legislative business in the district.

Thank you for your consideration. If you have any questions please call my office at (916) 319-2071.

Sincerely,

TODD A. SPITZER, Assembly Member
Seventy-first District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request that you waive my per diem for the date of February 13, 2004 due to out of town legislative business.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

February 9, 2004

*Hon. Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Fabian: This is to request permission to be excused from check in Session on Friday, February 13 on legislative business.

Sincerely,

HERB J. WESSON, Jr.
Speaker Emeritus of the California Assembly

February 13, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request to be excused from check-in session today, February 13, 2004, due to legislative business in my district.

If you have any questions or concerns, please contact Jenn Short, my scheduler, at 319-2008.

Sincerely,

LOIS WOLK, Assembly Member
Eighth District

(NOTE: For letters explaining the absences of Assembly Members Kehoe and Maddox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 12, 2004.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 13, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1786

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, February 13, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 172

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, February 13, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 153
Assembly Concurrent Resolution No. 160
Assembly Concurrent Resolution No. 164

And reports the same correctly enrolled, and presented to the Secretary of State on the 13th day of February, 2004, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Banking and Finance on Thursday, February 19, 2004, at 9:30 a.m., in Room 444.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1988—Hancock. An act to add Section 38086 to the Education Code, relating to schools.

ASSEMBLY BILL NO. 1989—Mullin. An act to amend Sections 15202 and 15202.1 of the Government Code, relating to trial costs.

ASSEMBLY BILL NO. 1990—Campbell. An act to amend Section 16461 of the Probate Code, relating to trusts.

ASSEMBLY BILL NO. 1991—Lowenthal. An act relating to petroleum infrastructure projects.

ASSEMBLY BILL NO. 1992—Mullin and Maldonado. An act to amend Section 11372.5 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 1993—Mullin. An act to add Article 13 (commencing with Section 44670) to Chapter 3 of Part 25 of the Education Code, relating to staff development.

ASSEMBLY BILL NO. 1994—Berg. An act to amend Section 18723 of the Revenue and Taxation Code, and to amend Section 9203.5 of the Welfare and Institutions Code, relating to the California Commission on Aging.

ASSEMBLY BILL NO. 1995—Cox. An act to amend Section 1771 of the Labor Code, relating to public works.

ASSEMBLY BILL NO. 1996—Bogh. An act to amend Section 457.1 of the Penal Code, relating to arson.

ASSEMBLY BILL NO. 1997—Committee on Higher Education (Liu (Chair), Berg, Jackson, Lowenthal, Matthews, Nakanishi, Negrete McLeod, and Pacheco). An act to amend Sections 66025.6, 69750.3, 69750.5, and 69751 of the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 1998—Dutton. An act to add Sections 6377, 17053.49, and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1999—Committee on Higher Education (Liu (Chair), Berg, Jackson, Lowenthal, Matthews, Nakanishi, Negrete McLeod, and Pacheco). An act to repeal Sections 90450 and 90500 of the Education Code, to amend Section 7298 of the Government Code, and to amend Sections 10705 and 10760 of the Public Contracts Code, relating to the California State University.

ASSEMBLY BILL NO. 2000—Dutton. An act to add Section 15627 to, and to repeal Part 10 (commencing with Section 15700) of Division 3 of Title 2 of, the Government Code, and to add Section 20.5 to the Revenue and Taxation Code, relating to governmental organization.

ASSEMBLY BILL NO. 2001—Nation. An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2002—Daucher. An act to amend Sections 366.2 and 369 of the Public Utilities Code, and to amend Section 80110 of the Water Code, relating to electricity.

ASSEMBLY BILL NO. 2003—Longville. An act to amend Sections 332, 6902, 6906, 8150, 8650, 8651, 8653, 13103, 13105, 13109, 13111, 13205, 13207, 13210, 13211, 13213, 13242, 15340, 15620, 15623, 15624, 15628, 15632, 17301, 17303, 17305, 17502, 17504, and 19303 of, to add Section 339.5 to, and to repeal Sections 6901, 7100, 7300, 7578, 7843, 8303, and 8304 of, the Elections Code, relating to presidential electors.

ASSEMBLY BILL NO. 2004—Committee on Business and Professions (Correa (Chair), Aghazarian, Bermudez, Shirley Horton, Koretz, Leno, Maldonado, Maze, Nation, Vargas, Wyland, and Yee). An act to repeal and add Section 4532 of the Business and Professions Code, relating to psychiatric technicians.

ASSEMBLY BILL NO. 2005—Aghazarian. An act relating to community care facilities.

ASSEMBLY BILL NO. 2006—Nunez. An act to add Article 17 (commencing with Section 400) to Chapter 2.3 of Part 1 of Division 1 of the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 2007—Committee on Business and Professions (Correa (Chair), Aghazarian, Bermudez, Shirley Horton, Koretz, Leno, Maldonado, Maze, Nation, Vargas, Wyland, and Yee). An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

ASSEMBLY BILL NO. 2008—Committee on Business and Professions (Correa (Chair), Aghazarian, Bermudez, Shirley Horton, Koretz, Leno, Maldonado, Maze, Nation, Vargas, Wyland, and Yee). An act to amend Section 2883 of the Business and Professions Code, relating to nursing.

ASSEMBLY BILL NO. 2009—Pacheco (Coauthor: Senator Machado). An act to amend Sections 17561 and 17568 of the Government Code, relating to state mandates.

ASSEMBLY BILL NO. 2010—Hancock (Principal coauthor: Chan). An act to add and repeal Section 26840.10 of the Government Code, to add and repeal Section 103627 of the Health and Safety Code, and to add and repeal Section 18309 of the Welfare and Institutions Code, relating to domestic violence.

ASSEMBLY BILL NO. 2011—Firebaugh. An act to add Section 1272.2 to the Penal Code, relating to bail.

ASSEMBLY BILL NO. 2012—Chu. An act to amend Section 1808.4 of the Vehicle Code, relating to the Department of Motor Vehicles.

ASSEMBLY BILL NO. 2013—Steinberg. An act to amend Section 11372 of, and to repeal Chapter 4.6 (commencing with Section 10830) of Part 2 of Division 9 of, the Welfare and Institutions Code, relating to statewide fingerprint imaging.

ASSEMBLY BILL NO. 2014—Committee on Banking and Finance (Wiggins (Chair), Bogh, Calderon, Chan, Chavez, Corbett, Correa, Cox, Houston, Leslie, Montanez, Strickland, and Vargas). An act to amend Sections 14252 and 14703 of the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 2015—Chu. An act to amend Section 56341 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 2016—Maze. An act to amend Sections 667.1, 667.5, and 1192.7 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 2017—Bermudez. An act to add Chapter 5 (commencing with Section 32460) to Part 19 of the Education Code, relating to the Pupil Volunteer Award Program.

ASSEMBLY BILL NO. 2018—Chu. An act relating to community property.

ASSEMBLY BILL NO. 2019—Steinberg. An act to add Article 15.5 (commencing with Section 645) to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 2020—Maze. An act to amend Section 290 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 2021—Chu. An act to amend Sections 25214.14 and 25214.15 of, and to amend the heading of Article 10.3 (commencing with Section 25214.11) of Chapter 6.5 of Division 20 of, the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 2022—Chu. An act relating to sex offenders.

ASSEMBLY BILL NO. 2023—Nakano. An act to amend Section 798.56 of the Civil Code, relating to mobilehomes.

ASSEMBLY BILL NO. 2024—Bermudez. An act to add Chapter 4.8 (commencing with Section 2195) to Division 3 of the Streets and Highways Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2025—Chu. An act to amend Section 111725 of the Health and Safety Code, relating to cosmetics.

ASSEMBLY BILL NO. 2026—Hancock (Coauthors: Leslie and Nation) (Coauthors: Senators Perata and Torlakson). An act to amend Section 18987.5 of the Welfare and Institutions Code, relating to children, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2027—Chan. An act to amend Section 560 of the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 2028—Koretz. An act to amend Section 1265.1 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 2029—Vargas. An act to amend Section 45452 of the Education Code, and to amend Section 42011 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2030—Codgill. An act to amend Section 30458.3 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2031—Cogdill. An act to amend Section 26614 of the Government Code, relating to search and rescue.

ASSEMBLY BILL NO. 2032—Dutra. An act to add Section 149.5 to the Streets and Highways Code, relating to transportation.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 24—Dutra. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2 to Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 63—Maze. Relative to State Highway Route 99.

CONSIDERATION OF DAILY FILE**ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

Assembly Bill No. 1786, ordered to third reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 12 noon, Tuesday, February 17, 2004.

LELAND Y. YEE, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 17, 2004

**ONE HUNDRED FIFTY-FOURTH SESSION DAY
FOUR HUNDRED FORTY-THIRD 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
Tuesday, February 17, 2004

The Assembly met at 12 noon.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Dutra 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 12:14 p.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—70:

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Simitian
Canciamilla	Haynes	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wesson
Corbett	Koretz	Nakanishi	Wiggins
Correa	La Malfa	Nakano	Wolk
Daucher	La Suer	Negrete McLeod	Yee
Diaz	Laird	Oropeza	Mr. Speaker
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, The purpose of our life is far greater than our own personal fulfillment. Our purpose is greater than our peace of mind or even our happiness; greater than our family, our career, or even our wildest dreams and ambitions. To understand why we were placed on this planet, Lord, we must begin with You. We were born by Your will and for Your purpose. Keep us in Your divine care as we conduct our business today and always.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Strickland 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 Frommer, seconded by Assembly Member Codgill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Liu and Reyes.

On personal business, and waiving per diem: Assembly Members Calderon, Chan, Cox, and Nation.

Because of illness: Assembly Members Jerome E. Horton, Kehoe, and Wyland.

Due to travel delays: Assembly Member Samuelian.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 13, 2004

*The Honorable Fabian Nunez
Speaker of the California Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am requesting permission to be excused from Session and/or Check-In Session on Tuesday, February 17th. I will be touring the CSU San Luis Obispo campus with representatives from my district office to view the campus' National Guard programs.

Any questions you may have regarding this request may be directed to my assistant, Janet Lopez, at 319-2832.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member
Forty-fourth District

February 13, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from Floor Session on Tuesday, February 17, 2004. I have been working with the World Wrestling Entertainment (WWE) Superstars to bring their "Get Excited about Reading" program to Fresno. This program encourages the youth to read and to become better students. They stress the importance of positive behavior and show the students the importance of leadership. They also tell the children that much of what they see at wrestling events live and on television is acting.

This is the only date that the WWE Superstars are available to come to Fresno to visit with middle school students. Should you have any questions, feel free to contact my office at (916) 319-2031. Thank you for your attention to this request.

Sincerely,

SARAH REYES, Assembly Member
Thirty-first District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 17, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymembers Paul Koretz and John Longville to replace Assemblymembers Wilma Chan and Christine Kehoe on the Assembly Public Employees, Retirement and Social Security Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 17, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymembers John Laird and Gene Mullin to replace Assemblymembers Wilma Chan and Sarah Reyes on the Assembly Budget Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Non-Motorized Transportation Facilities Report
(Pursuant to Streets and Highway Code Section 887.4)**

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 February 6, 2004, referred by the Speaker to the Committee on Transportation.

**Rural Telecommunications Infrastructure Grant Program
(Pursuant to Assembly Bill 140, Chapter 903
Statutes of 2001)**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated February 4, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Annual Report on
the Community Economic and Development Fund
(Pursuant to Government Code Section 91558.5(6))**

Above transmitted report, together with letter of transmittal from Joanie Jones Kelly, Executive Director, California Industrial Development Financing Advisory Commission, dated February 4, 2004, referred by the Speaker to the Committee on Jobs, Economic Development, and the Economy.

**Internal Control Certification Report
(Pursuant to Government Code Sections 13400 through 13407)**

Above transmitted report, together with letter of transmittal from Herb K. Schultz, Acting Director, Employment Development Department, dated February 5, 2004, referred by the Speaker to the Committee on Labor and Employment.

**2002-03 Emergency Medical Fund (EMS) Reports
(Pursuant To Health and Safety Code Section 1797.98B(a)) from:**

Tehama County Auditor-Controller, Robert J. Mieske, Auditor/Controller, dated February 4, 2004;

Sacramento County, Department of Health and Human Services, Aron Brewer, Manager, Fiscal Services, dated February 5, 2004;

Plumas County and Butte County, Dottie Alves, Project/Accounting Manager, Northern California EMS, INC., dated February 10, 2004;

Imperial County, Public Health Department, John Pritting, Manager, EMS Agency, dated February 10, 2004.

Referred by the Speaker to the Committee on Health.

**Certified Disabled Veteran Business Enterprise (DVBE)
Small Business Contracting Activity and/or Race, Ethnicity, and
Gender Business Ownership Reports from:**

Department of Fair Employment and Housing, Jill C. Peterson, Interim Director, dated February 5, 2004;

California Coastal Commission, Lane Yee, Chief, Administrative Services, dated February 10, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Veterans Affairs, on Tuesday, February 17, 2004, in the Tom Bane Rules Committee Room, upon adjournment of Floor session.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 806 for hearing in the Committee on Public Employees, Retirement and Social Security, upon adjournment of Floor session today.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1087 (Frommer)—An act to amend Section 1246 of the Business and Professions Code, relating to venipuncture, and declaring the urgency thereof, of to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Frommer moved a call of the Assembly.

Motion carried. Time, 12:18 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until Friday, February 20, 2004.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1786 (Cogdill)—An act to add Section 1228.6 to the Government Code, relating to public officers, 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—68

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Plescia
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Campbell	Hancock	Matthews	Salinas
Canciamilla	Harman	Maze	Simitian
Chavez	Haynes	McCarthy	Spitzer
Chu	Horton, Shirley	Montanez	Steinberg
Cogdill	Houston	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Koretz	Nakanishi	Wesson
Correa	La Malfa	Nakano	Wiggins
Daucher	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—68

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Firebaugh	Longville	Plescia
Berg	Frommer	Lowenthal	Richman
Bermudez	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Campbell	Hancock	Matthews	Salinas
Canciamilla	Harman	Maze	Simitian
Chavez	Haynes	McCarthy	Spitzer
Chu	Horton, Shirley	Montanez	Steinberg
Cogdill	Houston	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Koretz	Nakanishi	Wesson
Correa	La Malfa	Nakano	Wiggins
Daucher	La Suer	Negrete McLeod	Wolk
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker

NOES—None

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

ASSEMBLY BILL NO. 1108 (Bermudez)—An act to add and repeal Section 3041.5 of the Family Code, relating to family law, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—66

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Richman
Benoit	Firebaugh	Lowenthal	Ridley-Thomas
Berg	Frommer	Maddox	Runner
Bermudez	Garcia	Maldonado	Salinas
Bogh	Hancock	Matthews	Simitian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chavez	Horton, Shirley	Montanez	Strickland
Chu	Houston	Mountjoy	Vargas
Cogdill	Jackson	Mullin	Wesson
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Oropeza	Yee
Daucher	La Suer	Pacheco	Mr. Speaker
Diaz	Laird	Parra	
Dutra	Leslie	Pavley	

NOES—None

Above bill ordered enrolled.

**CALL OF THE ASSEMBLY DISPENSED WITH ON
THE URGENCY CLAUSE AND CONCURRENCE IN SENATE AMENDMENTS
TO ASSEMBLY BILL NO. 1087**

At 12:24 p.m., on motion of Assembly Member Frommer, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1087 adopted by the following vote:

AYES—69

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Simitian
Canciamilla	Haynes	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wiggins
Corbett	Koretz	Nakanishi	Wolk
Correa	La Malfa	Nakano	Yee
Daucher	La Suer	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—69

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Longville	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Salinas
Campbell	Harman	Matthews	Simitian
Canciamilla	Haynes	Maze	Spitzer
Chavez	Horton, Shirley	McCarthy	Steinberg
Chu	Houston	Montanez	Strickland
Cogdill	Jackson	Mountjoy	Vargas
Cohn	Keene	Mullin	Wiggins
Corbett	Koretz	Nakanishi	Wolk
Correa	La Malfa	Nakano	Yee
Daucher	La Suer	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

Above bill ordered enrolled.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Parra announced that the Committee on Veterans Affairs would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

Assembly Member Negrete McLeod announced that the Committee on Public Employees, Retirement and Social Security would meet today, upon adjournment of Veterans Affairs, in the Tom Bane Rules Committee Room.

Assembly Member Steinberg announced that the Committee on Budget would meet today, at 3 p.m., in Room 4202.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 1086 (Sher)—An act to amend Section 1091 of the Government Code, relating to conflicts of interest, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Simitian.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

Aghazarian	Dymally	Levine	Plescia
Bates	Firebaugh	Lieber	Richman
Benoit	Frommer	Longville	Ridley-Thomas
Berg	Garcia	Lowenthal	Runner
Bermudez	Goldberg	Maddox	Salinas
Bogh	Hancock	Maldonado	Simitian
Campbell	Harman	Matthews	Spitzer
Canciamilla	Haynes	Maze	Steinberg
Chavez	Horton, Shirley	McCarthy	Strickland
Chu	Houston	Mountjoy	Vargas
Cogdill	Jackson	Mullin	Wesson
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	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—69

Aghazarian	Dymally	Levine	Plescia
Bates	Firebaugh	Lieber	Richman
Benoit	Frommer	Longville	Ridley-Thomas
Berg	Garcia	Lowenthal	Runner
Bermudez	Goldberg	Maddox	Salinas
Bogh	Hancock	Maldonado	Simitian
Campbell	Harman	Matthews	Spitzer
Canciamilla	Haynes	Maze	Steinberg
Chavez	Horton, Shirley	McCarthy	Strickland
Chu	Houston	Mountjoy	Vargas
Cogdill	Jackson	Mullin	Wesson
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Yee
Daucher	La Suer	Oropeza	Mr. Speaker
Diaz	Laird	Pacheco	
Dutra	Leno	Parra	
Dutton	Leslie	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

GOVERNOR'S VETO STRICKEN FROM FILE

Assembly Member Negrete McLeod was granted unanimous consent that the Governor's veto of Assembly Bill No. 457 be stricken from file.

ADJOURN IN MEMORY

Assembly Member Bermudez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lamar and Ernestine Mathews, of Cerritos.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Bermudez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kelly Brown, of Norwalk.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Dutra, Lieber, and Diaz were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeanne Yoshida Honda, of San Jose/Campbell.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Levine and Laird were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Brewster, of Northridge.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Wednesday and Thursday, February 18–19, Check-in Session,
7 a.m.–3 p.m.;
Friday, February 20, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Kane, of Riverside.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Wilson Tressel, of Torrance; and Masaru Akutagawa, of Los Angeles.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rachael Oden, of Fresno.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melanie Smith, of Sacramento.

Assembly Member Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Earl Hutchinson Sr., of Los Angeles.

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 Air Force Master Sgt. Jude C. Mariano, of Vallejo.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charlotte Fern McKeown, of Vacaville.

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. 1786 and Urgency: Chavez, Diaz, Garcia, Hancock, Haynes, Houston, Longville, Mountjoy, Oropeza, Pavley, Simitian, Strickland, and Wiggins—Aye.

Assembly Bill No. 1108, Concurrence: Chavez, Haynes, Houston, Oropeza, Pavley, and Strickland—Aye.

Assembly Bill No. 1087, Urgency and Concurrence: Chavez, Diaz, Hancock, Harman, Haynes, Houston, Longville, Oropeza, Pavley, Plescia, and Strickland—Aye.

Senate Bill No. 1086 and Urgency: Campbell, Chavez, Chu, Corbett, Houston, Longville, Oropeza, Pavley, and Spitzer—Aye.

MOTION TO ADJOURN

At 12:40 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:40 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2033—Nakano. An act to add Section 328 to the Military and Veterans Code, relating to the military.

ASSEMBLY BILL NO. 2034—Campbell. An act to amend Section 3502.5 of the Government Code, relating to employer-employee relations.

ASSEMBLY BILL NO. 2035—Nakano (Coauthors: Bates, Cohn, and Dutra). An act to add Section 17592.7 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2036—La Suer. An act to amend Sections 22134.5, 24203, 24209, 24210, and 24211 of, and to add Sections 24203.4 and 24203.7 to, the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 2037—La Suer. An act to amend Section 25658.2 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 2038—La Suer. An act to amend Section 26744 of the Government Code, relating to court fees.

ASSEMBLY BILL NO. 2039—La Suer (Coauthor: Senator Hollingsworth). An act to amend Section 170028 of the Public Utilities Code, relating to airports.

ASSEMBLY BILL NO. 2040—La Suer. An act to amend Sections 13369, 15250, and 15275 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2041—Lowenthal. An act to add Part 2.5 (commencing with Section 1750) to Division 6 of the Harbors and Navigation Code, relating to harbors and ports.

ASSEMBLY BILL NO. 2042—Lowenthal. An act to add Section 1740 to the Harbors and Navigation Code, relating to ports.

ASSEMBLY BILL NO. 2043—Lowenthal. An act to add Section 1760 to the Harbors and Navigation Code, relating to ports.

ASSEMBLY BILL NO. 2044—Garcia. An act relating to taxation.

ASSEMBLY BILL NO. 2045—Garcia. An act relating to state militia.

ASSEMBLY BILL NO. 2046—Garcia. An act to add Section 8314.5 to the Government Code, relating to state computers.

ASSEMBLY BILL NO. 2047—Dutton. An act relating to forest practices.

ASSEMBLY BILL NO. 2048—Nakanishi and Harman. An act to add Section 13194.5 to the Water Code, relating to contamination.

ASSEMBLY BILL NO. 2049—Nakanishi. An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

ASSEMBLY BILL NO. 2050—Nakanishi. An act to amend Section 60119 of the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 2051—Nakanishi and Cogdill. An act to amend Section 35183 of the Education Code, relating to school uniforms.

ASSEMBLY BILL NO. 2052—Haynes. An act to amend Sections 80, 226, 922, 1101, and 1102, and to repeal Section 923 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2053—Plescia. An act to amend Section 4114 of the Public Resources Code, relating to forest practices.

ASSEMBLY BILL NO. 2054—Wolk. An act to repeal Section 599 of the Food and Agricultural Code, relating to agricultural pilot projects.

ASSEMBLY BILL NO. 2055—Wolk. An act to amend Section 65563 of the Government Code, relating to land use.

ASSEMBLY BILL NO. 2056—Aghazarian. An act to amend Section 1680 of, and to add Section 1670.2 to, the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 2057—Harman. An act to amend Sections 2021 and 2025 of the Code of Civil Procedure, relating to production of evidence.

ASSEMBLY BILL NO. 2058—La Suer and Bermudez. An act to amend Sections 6035 and 6040 of, and to add Sections 6041, 6042, and 6043 to, the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 2059—Maze. An act to amend Section 4996.17 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 2060—Maddox. An act to add Section 323 to the Military and Veterans Code, relating to military compensation.

ASSEMBLY BILL NO. 2061—Haynes. An act to add Part 33 (commencing with Section 66001) to Division 2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2062—Nakano. An act to add Section 1194 to the Civil Code, and to amend Sections 8201, 8201.2, and 8206 of the Government Code, relating to notaries public.

ASSEMBLY BILL NO. 2063—Negrete McLeod. An act relating to public resources, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2064—Goldberg. An act relating to parks and recreation.

ASSEMBLY BILL NO. 2065—Nakano. An act to amend Sections 13113.5, 13131.5, and 13143.6 of, to add Sections 13108.4 and 13131.2 to, and to repeal and add Section 13113 of, the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 2066—Steinberg. An act to amend Section 52055.55 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 2067—Harman. An act to amend Sections 56030 and 57500 of, and to add Section 56852 to, the Government Code, relating to local government reorganization.

ASSEMBLY BILL NO. 2068—Bogh. An act to add Section 290.2 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 2069—Chavez. An act to repeal Article 6 (commencing with Section 10237) of Chapter 3 of Part 1 of Division 4 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 2070—Houston. An act to add Sections 6377, 17053.49, and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2071—Houston. An act to amend Section 337.15 of the Code of Civil Procedure, relating to civil actions.

ASSEMBLY BILL NO. 2072—Wyland. An act to amend Section 660 of, and to add and repeal Section 660.2 of, the Harbors and Navigation Code, relating to vessels.

ASSEMBLY BILL NO. 2073—Wyland. An act to add and repeal Section 660.1 of the Harbors and Navigation Code, relating to vessels, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2074—Runner. An act to amend Section 4505 of the Food and Agricultural Code, relating to fairs.

ASSEMBLY BILL NO. 2075—Benoit. An act to amend Section 18931 of the Government Code, relating to state civil service.

ASSEMBLY BILL NO. 2076—Dutton. An act to add Sections 17053.49 and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2077—Cogdill. An act relating to air pollution.

ASSEMBLY BILL NO. 2078—Cogdill. An act to amend Sections 11100, 11100.1, 11106, and 11107.1 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2079—Oropeza. An act to add Sections 2157.1 and 2157.2 to the Elections Code, relating to voter information.

ASSEMBLY BILL NO. 2080—Firebaugh. An act to amend Section 11024.5 of the Education Code, relating to education.

ASSEMBLY BILL NO. 2081—Nakano. An act to amend Section 998 of the Code of Civil Procedure, relating to settlement offers.

ASSEMBLY BILL NO. 2082—Ridley-Thomas. An act to amend Section 12301.6 of the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 2083—Ridley-Thomas. An act to amend the heading of Article 2.5 (commencing with Section 1716) of Chapter 1 of Division 2.5 of the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 2084—Montanez. An act to amend Sections 4058 and 4331 of the Family Code, relating to support orders.

ASSEMBLY BILL NO. 2085—Montanez. An act to amend Section 369b of the Penal Code, relating to vehicles.

ASSEMBLY BILL NO. 2086—Lieber. An act to amend Section 14043.26 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2087—Lieber. An act to amend Section 1250.8 of the Health and Safety Code, and to amend Section 14105.986 of the Welfare and Institutions Code, relating to health facilities.

ASSEMBLY BILL NO. 2088—Dutra. An act to amend Sections 1954.51 and 1954.53 of the Civil Code, relating to residential real property.

ASSEMBLY BILL NO. 2089—Jackson. An act to add Section 358.5 to the Family Code, relating to marriage.

ASSEMBLY BILL NO. 2090—Liu. An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

ASSEMBLY BILL NO. 2091—Longville. An act to amend Section 87406 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 2092—Liu. An act to add Section 1747.30 to the Civil Code, relating to credit to minors.

ASSEMBLY BILL NO. 2093—Nakano. An act to amend Section 72505 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

ASSEMBLY BILL NO. 2094—Liu. An act to amend Section 1748.9 of the Civil Code, relating to credit.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25—Mullin. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 2 of Article II thereof, relating to elections.

REPORTS OF STANDING COMMITTEES

Committee on Veterans Affairs

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Joint Resolution No. 17

With the recommendation: Be adopted.

PARRA, Chair

Above resolution ordered to second reading.

Committee on Public Employees, Retirement and Social Security

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 806

With the recommendation: That the Senate amendments be concurred in.

NEGRETE McLEOD, Chair

Above bill ordered to unfinished business.

Committee on Budget

Date of Hearing: February 17, 2004

Mr. Speaker: Your Committee on Budget reports:

Senate Bill No. 1041

Senate Bill No. 1052

Senate Bill No. 1057

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 97

Assembly Bill No. 971

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, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 165

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, February 17, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 161

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, February 18, 2004, out of respect to the memory of Lamar and Ernestine Mathews and Kelly Brown, on motion of Assembly Member Bermudez; out of respect to the memory of Jeanne Yoshida Honda, on motion of Assembly Members Dutra, Lieber, and Diaz; out of respect to the memory of Donald Brewster, on motion of Assembly Members Levine and Laird; out of respect to the memory of Wilson Tressel and Masaru Akutagawa, on motion of Assembly Member Nakano; out of respect to the memory of Melanie Smith, on motion of Assembly Member Steinberg; out of respect to the memory of Earl Hutchinson Sr., on motion of Assembly Member Wesson; out of respect to the memory of Charlotte Fern McKeown, on motion of Assembly Member Wolk; out of respect to the memory of Air Force Master Sgt. Jude C. Mariano, on motion of Assembly Member Wiggins; out of respect to the memory of Rachael Oden, on motion of Assembly Member Runner; and out of respect to the memory of Charles Kane, on motion of Assembly Member Dutton.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 18, 2004

**ONE HUNDRED FIFTY-FIFTH SESSION DAY
FOUR HUNDRED FORTY-FOURTH 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
Wednesday, February 18, 2004

The Assembly met at 7 a.m.

Hon. Robert D. Dutton, Assembly Member, 63rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—75:

Aghazarian	Dutra	Leno	Parra
Bates	Dutton	Leslie	Pavley
Benoit	Dymally	Levine	Plescia
Berg	Firebaugh	Lieber	Reyes
Bermudez	Frommer	Liu	Richman
Bogh	Garcia	Longville	Ridley-Thomas
Calderon	Goldberg	Lowenthal	Runner
Campbell	Hancock	Maddox	Salinas
Canciamilla	Harman	Maldonado	Samuelian
Chan	Haynes	Matthews	Spitzer
Chavez	Horton, Jerome	Maze	Steinberg
Chu	Horton, Shirley	McCarthy	Strickland
Cogdill	Jackson	Montanez	Vargas
Cohn	Keene	Mountjoy	Wesson
Corbett	Kehoe	Mullin	Wiggins
Correa	Koretz	Nakanishi	Wolk
Cox	La Malfa	Nakano	Yee
Daucher	La Suer	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	

Quorum present.

At 11:16 a.m., Hon. George A. Plescia, 75th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Houston, Pacheco, and Simitian.

On personal business, and waiving per diem: Assembly Member Nation.

Because of illness: Assembly Member Wyland.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 17, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, February 18, 2004 for legislative meetings in my district.

If you have any questions, please contact Julianna Thomas in my office at 319-2015.

Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member
Fifteenth District

February 17, 2004

*The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from Assembly Check-in Session for Wednesday, February 18. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending check-in session. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

February 17, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

This is a request to be excused from Check-In Session on Wednesday, February 18, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 17, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: I am invoking Assembly Rule 77.2 and am referring AB 971 (Correa) to the Banking and Finance Committee for a concurrence hearing.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2095—Spitzer. An act to add Article 5.5 (commencing with Section 6010) to Chapter 9 of Part 1 of Division 4 of the Food and Agricultural Code, relating to pest control.

ASSEMBLY BILL NO. 2096—Cox. An act to amend Section 24602 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2097—Oropeza. An act to amend Section 37022 of the Public Resources Code, and to amend Sections 17053.30 and 23630 of the Revenue and Taxation Code, relating to natural resources.

ASSEMBLY BILL NO. 2098—Committee on Budget (Steinberg (Chair), Bermudez, Canciamilla, Chan, Diaz, Dutra, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2099—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2100—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2101—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2102—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2103—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2104—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2119—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2120—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2121—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2122—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2123—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2124—Campbell. An act to repeal and add Section 6108 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2125—Levine. An act to amend Section 4076 of, and to add Section 2242.2 to, the Business and Professions Code, relating to the healing arts.

ASSEMBLY BILL NO. 2126—Dutton. An act to amend Section 11112.4 of the Penal Code, relating to crime prevention.

ASSEMBLY BILL NO. 2127—Levine. An act to amend Section 9542 of the Welfare and Institutions Code, relating to community-based services.

ASSEMBLY BILL NO. 2128—Jackson. An act relating to air pollution.

ASSEMBLY BILL NO. 2129—Chavez. An act to amend Section 769 of the Insurance Code, relating to insurance brokers.

ASSEMBLY BILL NO. 2130—Wyland. An act to add Section 52052.7 to the Education Code, relating to schools.

ASSEMBLY BILL NO. 2131—Pacheco (Principal coauthor: Garcia). An act to amend Section 41203.1 of the Education Code, relating to education funding.

ASSEMBLY BILL NO. 2132—Reyes and Chan (Coauthors: Bermudez, Dymally, Houston, Koretz, Levine, Lieber, Mullin, Pacheco, and Pavley) (Coauthor: Senator Denham). An act to add Section 49414.7 to the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 2133—Oropeza. An act to add Section 13113.6 to the Health and Safety Code, relating to public safety.

ASSEMBLY BILL NO. 2134—Dutton. An act relating to building standards.

ASSEMBLY BILL NO. 2135—Levine. An act to add Section 14666.9 to the Government Code, relating to telecommunications.

ASSEMBLY BILL NO. 2136—Goldberg. An act to amend Section 11222 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2137—Steinberg. An act to amend Sections 26726, 26731, and 26733.5 of the Government Code, relating to law enforcement fees.

ASSEMBLY BILL NO. 2138—Maze. An act to amend Section 1262 of the Business and Professions Code, and to repeal and add Section 114885 of the Health and Safety Code, relating to health care providers.

ASSEMBLY BILL NO. 2139—Maze. An act to amend Sections 27315, 27360, 27360.5, 27362, and 27365 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2140—Runner. An act to amend Section 12002 of the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

ASSEMBLY BILL NO. 2141—Longville. An act to add and repeal Part 10 (commencing with Section 12997) of Division 6 of the Water Code, relating to water, and making an appropriation therefor.

ASSEMBLY BILL NO. 2142—Houston. An act to amend Section 7197 of, and to add Section 7197.5 to, the Business and Professions Code, relating to home inspectors.

ASSEMBLY BILL NO. 2143—Maldonado. An act to add Section 1347.1 to the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 2144—Ridley-Thomas. An act to amend Section 3691 of the Revenue and Taxation Code, relating to property taxation.

ASSEMBLY BILL NO. 2145—Ridley-Thomas. An act to add Section 12304.4 to the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 2146—Leno. An act to amend Sections 8276, 8280, and 9004 of, and to add Sections 8276.1 and 8280.8 to the Fish and Game Code, relating to Dungeness crab, and making an appropriation therefor.

ASSEMBLY BILL NO. 2147—Kehoe. An act to add Section 3260.4 to the Civil Code, and to add Sections 11589.7 and 11751.82 to the Insurance Code, relating to liability insurance.

ASSEMBLY BILL NO. 2148—Diaz. An act to amend Sections 2030, 2031, 6340, 6341, and 6344 of the Family Code, relating to family law.

ASSEMBLY BILL NO. 2149—Longville. An act to amend Section 16005 of the Welfare and Institutions Code, relating to foster care.

ASSEMBLY BILL NO. 2150—Levine. An act to amend Section 5107 of the Business and Professions Code, relating to accountancy.

ASSEMBLY BILL NO. 2151—Jackson. An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

ASSEMBLY BILL NO. 2152—Goldberg. An act relating to sentencing.

ASSEMBLY BILL NO. 2153—Daucher. An act to amend Section 42238 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 2154—Daucher. An act to amend Section 44940.5 of the Education Code, relating to certificated school employees.

ASSEMBLY BILL NO. 2155—Kehoe. An act to add Section 31316 to the Public Resources Code, relating to coastal resources.

ASSEMBLY BILL NO. 2156—Reyes. An act to amend Section 23027 of the Financial Code, relating to deferred deposit transactions.

ASSEMBLY BILL NO. 2157—Reyes. An act to amend Sections 12800, 12855, and 13975 of the Government Code, and to amend Sections 2100, 2107, 2109, and 23251 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2158—Lowenthal. An act to amend Section 65582 of the Government Code, relating to local planning.

ASSEMBLY BILL NO. 2159—Reyes. An act to amend Section 45017 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 2160—Reyes. An act to add Section 11055 to the Penal Code, relating to foreign prosecution.

ASSEMBLY BILL NO. 2161—Reyes. An act to amend Sections 10136, 10138, 10139, 10139.1, and 10139.5 of the Insurance Code, relating to structured settlements.

ASSEMBLY BILL NO. 2162—Oropeza. An act to amend Section 12012.85 of the Government Code, relating to gaming.

ASSEMBLY BILL NO. 2163—Leslie. An act to add Section 56.106 to the Civil Code, relating to privacy.

ASSEMBLY BILL NO. 2164—Plescica. An act to amend Section 19605.73 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 2165—Houston. An act to amend Sections 10232.4, 10233, and 10238 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 2166—Hancock. An act to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 20 of the Public Resources Code, relating to public resources.

ASSEMBLY BILL NO. 2167—Correa. An act to amend Section 25506 of, and to add Section 25501.5 to, the Corporations Code, relating to securities.

ASSEMBLY BILL NO. 2168—Correa. An act to repeal and add Section 7399 of the Business and Professions Code, relating to cosmetology.

ASSEMBLY BILL NO. 2169—Liu. An act to amend Section 32384 of the Education Code, relating to academic degrees.

ASSEMBLY BILL NO. 2170—Calderon. An act to amend Sections 7507.9, 7507.10, and 7508.2 of the Business and Professions Code, relating to repossession agencies.

ASSEMBLY BILL NO. 2171—Benoit. An act to amend Section 44265.10 of the Education Code, relating to teacher credentialing.

ASSEMBLY BILL NO. 2172—Levine. An act to amend Section 280 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 2173—Parra. An act to add Section 23593 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2174—Haynes. An act to add Section 4335.5 to the Family Code, relating to support.

ASSEMBLY BILL NO. 2175—Canciamilla. An act to add Section 7060.8 to the Government Code, relating to housing.

ASSEMBLY BILL NO. 2176—Montanez. An act to add Chapter 12.7 (commencing with Section 42648) to Part 3 of Division 30 of the Public Resources Code, relating to recycling.

ASSEMBLY BILL NO. 2177—Jackson. An act to add Section 78015.7 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 2178—Simitian and Daucher (Coauthors: Aghazarian, Bates, Benoit, Bermudez, Calderon, Canciamilla, Chavez, Cogdill, Cohn, Corbett, Correa, Diaz, Dutra, Dutton, Frommer, Haynes, Shirley Horton, Houston, Jackson, Keene, La Suer, Laird, Lieber, Liu, Lowenthal, Maddox, Maldonado, Matthews, Maze, Mountjoy, Mullin, Nakano, Nation, Negrete McLeod, Pacheco, Parra, Pavley, Plescica, Runner, Salinas, Spitzer, Wiggins, Wolk, Wyland, and Yee) (Coauthors: Senators Poochigian and Speier). An act to amend Sections 42238 and 42238.44 of, and to repeal Section 42238.46 of, the Education Code, and to amend Section 42 of Chapter 1167 of the Statutes of 2002, relating to education finance, and making an appropriation therefor.

ASSEMBLY BILL NO. 2179—Firebaugh. An act to amend Section 14043 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2180—Dutton. An act to amend Section 51933 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2181—Campbell. An act to repeal Part 13 (commencing with Section 2698) of Division 2 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2182—Koretz. An act to amend Section 6929 of the Family Code, relating to minors.

ASSEMBLY BILL NO. 2183—Liu. An act to add Sections 52302.6 and 54698 to the Education Code, relating to career technical education.

ASSEMBLY BILL NO. 2184—Plescica. An act to add Section 4119.1 to the Business and Professions Code, and to amend Sections 1261.5 and 1261.6 of the Health and Safety Code, relating to health facilities, and making an appropriation therefor.

ASSEMBLY BILL NO. 2185—Frommer. An act to add Section 1367.06 to the Health and Safety Code, relating to health care coverage.

ASSEMBLY BILL NO. 2186—Leslie. An act to amend Section 66907.7 of the Government Code, relating to natural resources.

ASSEMBLY BILL NO. 2187—Levine. An act to add Section 49432.5 to the Education Code, relating to nutrition.

ASSEMBLY BILL NO. 2188—Shirley Horton and Garcia. An act to amend and repeal Section 11251.3 of the Welfare and Institutions Code, relating to CalWORKS.

ASSEMBLY BILL NO. 2189—Chu (Principal coauthors: Correa and Vargas). An act to add Section 22443.3 to the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 2190—Parra. An act relating to prisons.

ASSEMBLY BILL NO. 2191—Chu. An act to add Section 1026.8 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 2192—Houston. An act to add Section 24416.8 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2193—Nation. An act to amend Section 22708 of the Business and Professions Code, relating to tanning facilities.

ASSEMBLY BILL NO. 2194—Codgill. An act to add and repeal Section 1770.1 to the Labor Code, relating to prevailing wages.

ASSEMBLY BILL NO. 2195—Campbell. An act to repeal Section 3302 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2196—Garcia. An act relating to education.

ASSEMBLY BILL NO. 2197—Aghazarian and Matthews. An act to amend Section 6307 of, and to add Section 6103 to, the Water Code, relating to water.

ASSEMBLY BILL NO. 2198—Liu. An act to add Section 12812 to the Government Code, relating to state agencies.

ASSEMBLY BILL NO. 2199—Kehoe. An act to add Section 2051.5 to the Insurance Code, relating to fire insurance.

ASSEMBLY BILL NO. 2200—Hancock. An act to amend Section 49550.3 of, and to add Section 49550.2 to, the Education Code, relating to pupil nutrition.

ASSEMBLY BILL NO. 2201—Firebaugh. An act to amend Sections 23114 and 34501.12 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2202—Pacheco. An act to amend Section 437c of the Code of Civil Procedure, relating to summary judgment.

ASSEMBLY BILL NO. 2203—Chu. An act relating to taxation.

ASSEMBLY BILL NO. 2204—Chu. An act to amend Section 830 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2205—Oropeza. An act to add Article 4 (commencing with Section 8228) to Chapter 2 of Part 6 of the Education Code, relating to child care, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2206—Firebaugh. An act to add Sections 13998 and 13998.5 to, and to add Article 6.5 (commencing with Section 12065) to Chapter 1 of Part 2 of Division 3 of Title 2 of, the Government Code, relating to international trade.

ASSEMBLY BILL NO. 2207—Levine. An act to amend Section 11093 of the Government Code, relating to statistical districts.

ASSEMBLY BILL NO. 2208—Kehoe. An act to amend Section 1374.58 of the Health and Safety Code, and to amend Section 10121.7 of, and to add Section 381.5 to, the Insurance Code, relating to domestic partners.

ASSEMBLY BILL NO. 2209—Wiggins. An act to amend Section 6702 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2210—Liu. An act to amend Section 44279.4 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2211—Plescica. An act to amend Section 437c of the Code of Civil Procedure, relating to summary judgment.

ASSEMBLY BILL NO. 2212—Runner. An act to amend Section 33321.5 of, and to add Section 33320.6 to, the Health and Safety Code, relating to redevelopment.

ASSEMBLY BILL NO. 2213—Goldberg. An act to add and repeal Part 9.5 (commencing with Section 2550) of Division 2 of the Labor Code, relating to janitorial service contractors.

ASSEMBLY BILL NO. 2214—Nation. An act to add Section 12012.50 to the Government Code, relating to gaming.

ASSEMBLY BILL NO. 2215—Nakanishi. An act to amend Section 25258 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2216—Nakanishi. An act to amend Sections 7073 and 7102 of, and to add Section 7069.1 to, the Business and Professions Code, and to amend Section 802 of the Penal Code, relating to contractors.

ASSEMBLY BILL NO. 2217—Shirley Horton. An act to add Section 14903 and Article 6 (commencing with Section 13050) to Chapter 1 of Division 6 of the Vehicle Code, relating to child identification.

ASSEMBLY BILL NO. 2218—La Suer. An act to amend Section 12001 of the Penal Code, relating to deadly weapons.

ASSEMBLY BILL NO. 2219—La Suer. An act to amend Sections 3041 and 3046 of the Penal Code, relating to parole.

ASSEMBLY BILL NO. 2220—La Suer. An act to amend Section 51933 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2221—Campbell. An act to amend Section 1632 of the Civil Code, relating to contracts.

ASSEMBLY BILL NO. 2222—Koretz (Coauthor: Lieber) (Coauthor: Senator Soto). An act to add Chapter 4.3 (commencing with Section 610) to Division 3 of the Harbors and Navigation Code, relating to boating safety.

ASSEMBLY BILL NO. 2223—Longville. An act to amend Section 11358 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2224—Cohn. An act to amend Sections 17557, 17558, 17558.5, and 17561 of, and to add Section 17572 to, the Government Code, relating to state mandates.

ASSEMBLY BILL NO. 2225—Wyland. An act to amend Section 44511 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2226—Spitzer (Principal coauthor: Senator Speier). An act to amend Section 2835.5 of the Business and Professions Code, relating to nursing.

ASSEMBLY BILL NO. 2227—Garcia. An act to add Section 7073.95 to the Government Code, relating to economic development.

ASSEMBLY BILL NO. 2228—Garcia. An act to add Section 3012 to the Family Code, to add Section 1514.5 to the Probate Code, and to add Section 204 to the Welfare and Institutions Code, relating to minors.

ASSEMBLY BILL NO. 2229—Benoit. An act to amend Section 103526 of the Health and Safety Code, relating to vital statistics.

ASSEMBLY BILL NO. 2230—Corbett, Kehoe, McCarthy, Mullin, and Plescia. An act to add Sections 23605, 23671, 24416.8, and 25128.1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2231—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 20150 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 2232—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 22717 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 2233—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Sections 22663, 22705.5, 22714, 23203, 24114, 24221, and 44987 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 2234—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 31451 of the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 2235—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 3512 of the Government Code, relating to state employment.

ASSEMBLY BILL NO. 2236—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 22790 of the Government Code, relating to the Public Employees' Medical and Hospital Care Act.

ASSEMBLY BILL NO. 2237—Parra. An act to amend Section 22348 of the Vehicles Code, relating to vehicles.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 181—McCarthy (Coauthors: Aghazarian, Bates, Benoit, Bogh, Campbell, Canciamilla, Chavez, Cogdill, Cox, Daucher, Dutton, Garcia, Harman, Haynes, Shirley Horton, Houston, Keene, La Malfa, La Suer, Laird, Leslie, Lieber, Maddox, Maldonado, Matthews, Maze, Mountjoy, Nakanishi, Pacheco, Parra, Pavley, Plescia, Richman, Runner, Samuelian, Spitzer, Strickland, and Wyland). Relative to National Anthem Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 182—Samuelian. Relative to Hmong-American Veterans Memorial Day.

ASSEMBLY JOINT RESOLUTION NO. 64—Chu. Relative to bias-motivated crimes.

CONSIDERATION OF DAILY FILE SECOND READING OF SENATE BILLS

SENATE BILL NO. 1041—An act to amend Section 35 of Chapter 33 of the Statutes of 2002, relating to school facilities.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 1052—An act to amend Section 11621.4 of the Insurance Code, relating to assigned risk plans.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

SENATE BILL NO. 1057—An act relating to trial court funding.

Bill read second time; amendments proposed by the Committee on Budget read and adopted, bill ordered reprinted and to be returned to the second reading file.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 11 a.m., Thursday, February 19, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 18, 2004**

The following measures were amended in the Assembly on this day:

SB	RN	
1041	0405719	
1052	0405690	
1057	0405780	
Daily Total:		3
Cumulative Total:		3169

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 19, 2004

**ONE HUNDRED FIFTY-SIXTH SESSION DAY
FOUR HUNDRED FORTY-FIFTH 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, February 19, 2004

The Assembly met at 11 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member 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 11:14 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—71:

Aghazarian	Diaz	Leslie	Plescia
Bates	Dutra	Levine	Reyes
Benoit	Dymally	Lieber	Richman
Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Runner
Bogh	Garcia	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chan	Horton, Jerome	Montanez	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Malfa	Oropeza	Yee
Cox	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	

PRAYER

In observance of the Day of Remembrance for Japanese Americans interned during World War II, Speaker pro Tempore Yee invited Rev. Dr. Aart M. van Beek, Minister of Parkview Presbyterian Church, Sacramento:

Let us pray,

God of a billion years and a thousand generations. God of all people of all creeds, faiths, and colors. Today we remember the plight of Japanese Americans who were interned in desolate places because of their ancestry. From Tule Lake to Gerome, Mansanar to Amachi, Gila to Topaz. Their suffering is a sharp reminder that even in this great nation known for defending its freedoms and human rights, fear and greed can whip the flames of paranoia and prejudice. May we be strengthened in one belief that this can never happen again. Lord, the names on the electronic board of this great Chamber speak of myriad ancestry and origin. May our diversity as a people embolden us to challenge discrimination and bigotry wherever it rears its monstrous head. May the collective memory renewed today serve to protect future generations when they too are tempted to divide and isolate rather than unite and embrace.

**PRESENTATION OF COLORS
AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Presentation of Colors by the Nisei Post 8985 VFW Auxiliary, Sacramento, was followed by the Pledge of Allegiance to the Flag, led by Assembly Member Nakano.

MOTION TO DISPENSE WITH READING OF THE JOURNAL

Further reading of the Journal of the previous legislative day was dispensed with on motion of Assembly Member Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Dutton, Goldberg, Kehoe, La Suer, Longville, Maddox, Pacheco, and Simitian.

On personal business, and waiving per diem: Assembly Member Nation.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 13, 2004

*Assemblyman Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby request permission to be excused from session on Thursday, February 19, 2004, to attend the Governor's Blue Ribbon Fire Commission in Costa Mesa. I have been appointed by the Governor to sit on this Commission.

Thank you for your cooperation in this matter.

Sincerely,

BOB DUTTON, Assembly Member
Sixty-third District

February 18, 2004

*Speaker Fabian Nunez
State Capitol
Sacramento, California*

Dear Mr. Speaker: This letter is to request permission to be excused from session on Thursday, February 19, 2004 on Legislative Business.

Should you have any questions please do not hesitate to contact my Executive Assistant, Bertha Mardueno at ext. 2045.

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, February 19, 2004 due to legislative business.

I am a Member of the Governor's Blue Ribbon Fire Commission and wish to attend the next Commission meeting held in Riverside, California.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

February 11, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I am requesting to be excused from legislative session on Thursday, February 19, to attend the Blue Ribbon Fire Commission, of which I am a member. The meeting will be held in Costa Mesa, California.

Thank you in advance for your assistance.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

February 17, 2004

*The Honorable Fabian Nunez
Speaker, California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Thursday, February 19 and floor session on Friday, February 20, 2004 due to legislative business in my district.

Thank you for your consideration of this request. If your staff should have any further questions or require additional information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

February 13, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from check-in session on Thursday, February 19th and session on Friday, February 20th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

February 17, 2004

*The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from Assembly Session for Wednesday, February 18 and Thursday, February 19, 2004. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

February 17, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This is a request to be excused from Session on Thursday, February 19, 2004. I have legislative business in the district. Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 19, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Mervyn Dymally to fill the Democratic vacancy on the Assembly Health Committee for the 2003–04 Regular Session.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 18, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1087

Assembly Bill No. 1108

And reports the same correctly enrolled, and presented to the Governor on the 18th day of February, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Joint Legislative Audit Committee, on Tuesday, February 24, 2004, upon adjournment of Floor Session, in Room 444.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1838 -----	G.O. and Ins.
1844 -----	Health
1846 -----	Ed.
1847 -----	Trans.
1848 -----	Jud.
1849 -----	Hum. S.
1850 -----	Rev. & Tax.
1851 -----	Jud.
1852 -----	P.E.,R. & S.S.

Senate Concurrent

<i>Resolution No.</i>	<i>Committee</i>
56 -----	Rls.

CAUCUS ANNOUNCEMENTS

At 11:20 a.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 11:20 a.m., Speaker pro Tempore Yee declared the Assembly recessed.

RECONVENED

At 11:48 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 172
BY UNANIMOUS CONSENT**

Assembly Member Nakano was granted unanimous consent to take up Assembly Concurrent Resolution No. 172 out of order, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 172 (Nakano)—Relative to a Day of Remembrance.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 172**

Assembly Member Nakano was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 172.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chavez, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dymally, Firebaugh, Frommer, Garcia, Hancock, Harman, Haynes, Jerome Horton, Houston, Jackson, Keene, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Negrete McLeod, Nunez, Oropeza, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Nakano was granted unanimous consent to take up Assembly Concurrent Resolution No. 172, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 172, as Amended
ASSEMBLY RESOLUTION NO. 172**—Relative to a Day of Remembrance.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**REQUEST TO RESCIND ACTION ON
ASSEMBLY BILL NO. 899**

Assembly Member Frommer requested unanimous consent to rescind the action whereby on January 5, 2004 (Assembly Journal, page 4120), the Governor's veto of Assembly Bill No. 899 was stricken from the file.

Assembly Member Cogdill withheld unanimous consent.

Point of Order

Assembly Member Cogdill arose to the following point of order:

Pursuant to the provisions of Assembly Rule 98, the request to rescind the action whereby the Governor's veto of Assembly Bill No. 899 was stricken from file is out of order.

Ruling by Speaker pro Tempore Yee

Speaker pro Tempore Yee ruled the point of order not well taken; that the Assembly Rules and Mason's Manual grant the House authority to rescind an action.

Motion to Appeal from the Decision of the Chair

Assembly Member Cogdill moved to appeal from the decision of the Chair.

Assembly Member Mountjoy seconded the motion.

The question being: Shall the decision of the Chair that the House has authority to rescind the action whereby the Governor's veto of Assembly Bill No. 899 was stricken from the file be overruled?

The roll was opened and the decision of the Chair sustained by the following vote:

AYES—23

Aghazarian	Daucher	Keene	Richman
Bates	Garcia	La Malfa	Runner
Bogh	Harman	Maze	Spitzer
Campbell	Haynes	McCarthy	Strickland
Cogdill	Horton, Shirley	Mountjoy	Wyland
Cox	Houston	Plescia	

NOES—44

Benoit	Diaz	Levine	Pavley
Berg	Dutra	Lieber	Reyes
Bermudez	Dymally	Liu	Ridley-Thomas
Calderon	Firebaugh	Lowenthal	Salinas
Canciamilla	Frommer	Matthews	Steinberg
Chan	Hancock	Montanez	Vargas
Chavez	Horton, Jerome	Mullin	Wesson
Chu	Jackson	Nakano	Wiggins
Cohn	Koretz	Negrete McLeod	Wolk
Corbett	Laird	Oropeza	Yee
Correa	Leno	Parra	Mr. Speaker

Vote Changes

By unanimous consent, the following vote change was permitted on the Cogdill motion to Appeal from the decision of the Chair: Nakanishi from "Aye" to "Not Voting".

Motion to Rescind Action

Assembly Member Frommer moved that the action be rescinded whereby on January 5, 2004 (Assembly Journal, page 4120), the Governor's veto of Assembly Bill No. 899 was stricken from the file.

Assembly Member Wiggins seconded the motion.

Motion carried by the following vote:

AYES—43

Berg	Dutra	Lieber	Reyes
Bermudez	Dymally	Liu	Ridley-Thomas
Calderon	Firebaugh	Lowenthal	Salinas
Canciamilla	Frommer	Matthews	Steinberg
Chan	Hancock	Montanez	Vargas
Chavez	Horton, Jerome	Mullin	Wesson
Chu	Jackson	Nakano	Wiggins
Cohn	Koretz	Negrete McLeod	Wolk
Corbett	Laird	Oropeza	Yee
Correa	Leno	Parra	Mr. Speaker
Diaz	Levine	Pavley	

NOES—25

Aghazarian	Daucher	Leslie	Samuelian
Bates	Harman	Maze	Spitzer
Benoit	Haynes	McCarthy	Strickland
Bogh	Horton, Shirley	Mountjoy	Wyland
Campbell	Houston	Plescia	
Cogdill	Keene	Richman	
Cox	La Malfa	Runner	

Vote Changes

By unanimous consent, the following vote change was permitted on Assembly Bill No. 899, Frommer motion to rescind: Nakanishi from “No” to “Not Voting”.

ACTION RESCINDED ON ASSEMBLY BILL NO. 1324

Assembly Member Frommer was granted unanimous consent to rescind the action whereby the Assembly, on July 24, 2003 (Assembly Journal, page 2885), refused to concur in Senate amendments to Assembly Bill No. 1324, and that the bill be returned to the Senate for further action.

SPECIAL COMMITTEE MEETINGS

Assembly Member Frommer was granted unanimous consent that the Committee on Banking and Finance be permitted to hold a special meeting today, off the Floor, and that Joint Rule 62(a) be waived for the purpose of setting Assembly Bill No. 971 for hearing.

CONSIDERATION OF DAILY FILE

**SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 1041, 1052, and 1057, ordered to third reading.

CONSIDERATION OF SENATE BILL NO. 1041 BY UNANIMOUS CONSENT

Assembly Member Steinberg was granted unanimous consent to take up Senate Bill No. 1041, without reference to file.

SENATE BILL NO. 1041 (Committee on Budget and Fiscal Review)—An act to amend Items 2180-011-0067, 2740-001-0001, and 2740-001-0044 of Section 2.00 of, and to add Items 2150-011-0299, 2240-116-0813, 2240-402, 2310-011-0400, 3860-497, 4120-495, 4200-496, 4260-496, 4280-495, 4300-495, 4440-496, 4700-495, 5160-496, and 5175-496 to Section 2.00 of, the Budget Act of 2003 (Chapter 157 of the Statutes of 2003), relating to the support of state government, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Steinberg.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—70

Aghazarian	Dutra	Levine	Reyes
Bates	Dymally	Lieber	Richman
Benoit	Firebaugh	Liu	Ridley-Thomas
Berg	Frommer	Lowenthal	Runner
Bermudez	Garcia	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	Maze	Spitzer
Campbell	Haynes	McCarthy	Steinberg
Canciamilla	Horton, Jerome	Montanez	Strickland
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Wesson
Chu	Jackson	Nakanishi	Wiggins
Cogdill	Keene	Nakano	Wolk
Cohn	Koretz	Negrete McLeod	Wyland
Corbett	La Malfa	Oropeza	Yee
Correa	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	
Diaz	Leslie	Plescia	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—70

Aghazarian	Dutra	Levine	Reyes
Bates	Dymally	Lieber	Richman
Benoit	Firebaugh	Liu	Ridley-Thomas
Berg	Frommer	Lowenthal	Runner
Bermudez	Garcia	Maldonado	Salinas
Bogh	Hancock	Matthews	Samuelian
Calderon	Harman	Maze	Spitzer
Campbell	Haynes	McCarthy	Steinberg
Canciamilla	Horton, Jerome	Montanez	Strickland
Chan	Horton, Shirley	Mountjoy	Vargas
Chavez	Houston	Mullin	Wesson
Chu	Jackson	Nakanishi	Wiggins
Cogdill	Keene	Nakano	Wolk
Cohn	Koretz	Negrete McLeod	Wyland
Corbett	La Malfa	Oropeza	Yee
Correa	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	
Diaz	Leslie	Plescia	

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 1057 BY UNANIMOUS CONSENT

Assembly Member Steinberg was granted unanimous consent to take up Senate Bill No. 1057, without reference to file.

SENATE BILL NO. 1057 (Committee on Budget and Fiscal Review)—An act to amend Section 10754 of the Revenue and Taxation Code, relating to local government finance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Steinberg.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—71

Aghazarian	Diaz	Leslie	Plescia
Bates	Dutra	Levine	Reyes
Benoit	Dymally	Lieber	Richman
Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Runner
Bogh	Garcia	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chan	Horton, Jerome	Montanez	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Malfa	Oropeza	Yee
Cox	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—71

Aghazarian	Diaz	Leslie	Plescia
Bates	Dutra	Levine	Reyes
Benoit	Dymally	Lieber	Richman
Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Runner
Bogh	Garcia	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chan	Horton, Jerome	Montanez	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Malfa	Oropeza	Yee
Cox	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	

NOES—None

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12:12 p.m., by unanimous consent, the members of the Committee on Banking and Finance 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****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY CONCURRENT RESOLUTION NO. 165 (Jerome Horton)—
Relative to Black History Month.

The question being: Shall the Assembly concur in the Senate amendments to the above resolution?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—71

Aghazarian	Diaz	Leslie	Plescia
Bates	Dutra	Levine	Reyes
Benoit	Dymally	Lieber	Richman
Berg	Firebaugh	Liu	Ridley-Thomas
Bermudez	Frommer	Lowenthal	Runner
Bogh	Garcia	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chan	Horton, Jerome	Montanez	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Koretz	Negrete McLeod	Wyland
Correa	La Malfa	Oropeza	Yee
Cox	Laird	Parra	Mr. Speaker
Daucher	Leno	Pavley	

NOES—None

Above resolution ordered enrolled.

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

ADJOURN IN MEMORY

Assembly Members Mullin and Yee were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maxine Gonsalves, of Pacifica.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Garcia was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of CHP Officer Ray Moreno Arredondo, of Holtville (Winterhaven CHP Office).

(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 Rudolf Papilion, of Van Nuys.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Cogdill was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carlos Badger, of Modesto.

(Assembly Rule 45.5 suspended.)

RE-REFERENCE OF BILLS PURSUANT TO THE RULES

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following resolution was ordered re-referred to the Committee on Appropriations:

Senate Joint Resolution No. 17.**ADJOURN IN MEMORY**

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Patrick S. Tainsh, of Oceanside.

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 Lucy Villegas Ortiz, of Sacramento.

Assembly Member Maldonado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Viola "Vi" Buono, of Santa Maria.

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 Gene Devers, of Turlock.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles DeWayne Clark, of Leona Valley.

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 Judy Parks-Dudley, of Modjeska Canyon.

REPORTS OF STANDING COMMITTEES**Committee on Banking and Finance**

Date of Hearing: February 19, 2004

Mr. Speaker: Your Committee on Banking and Finance reports:

Assembly Bill No. 971

With the recommendation: That Senate amendments be concurred in.

WIGGINS, Chair

**CONSIDERATION OF SENATE AMENDMENTS TO
ASSEMBLY BILL NO. 971 BY UNANIMOUS CONSENT**

Assembly Member Correa was granted unanimous consent to take up consideration of Assembly Bill No. 971, without reference to file.

ASSEMBLY BILL NO. 971 (Correa)—An act to amend Sections 1789.31, 1789.33, and 1789.35 of, to amend, repeal, and add Sections 1789.30 and 1789.37 of, and to add and repeal Section 1789.39 of, the Civil Code, and to amend Sections 22050, 23026, 23057 23100, 23102, and 23104 of, and to add and repeal Section 23100.1 of, the Financial Code, relating to deferred deposit transactions, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—68

Aghazarian	Dutra	Leslie	Pavley
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Spitzer
Chan	Horton, Shirley	Montanez	Steinberg
Chavez	Houston	Mountjoy	Strickland
Chu	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wesson
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	Laird	Oropeza	Yee
Diaz	Leno	Parra	Mr. Speaker

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—68

Aghazarian	Dutra	Leslie	Pavley
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	Horton, Jerome	McCarthy	Spitzer
Chan	Horton, Shirley	Montanez	Steinberg
Chavez	Houston	Mountjoy	Strickland
Chu	Jackson	Mullin	Vargas
Cohn	Keene	Nakanishi	Wesson
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	Laird	Oropeza	Yee
Diaz	Leno	Parra	Mr. Speaker

NOES—None

Above bill ordered enrolled immediately.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1498 (Wiggins)—An act to amend Sections 32207, 32320, 32321, 32324, 32325, 32352.5, 32423, 32721, 32722, 32932, 32942, and 32952 of, and to repeal Sections 32213, 32214, 32700, 32701, 32702, 32703, 32710, 32711, 32909, and 32928 of, the Financial Code, and to amend Section 20057 of the Government Code, relating to financial institutions, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—68

Aghazarian	Dutra	Leslie	Pavley
Bates	Dymally	Levine	Plescia
Benoit	Firebaugh	Lieber	Reyes
Berg	Frommer	Liu	Richman
Bermudez	Garcia	Lowenthal	Ridley-Thomas
Bogh	Hancock	Maldonado	Salinas
Calderon	Harman	Matthews	Samuelian
Campbell	Haynes	Maze	Spitzer
Canciamilla	Horton, Jerome	McCarthy	Steinberg
Chan	Horton, Shirley	Montanez	Strickland
Chavez	Houston	Mountjoy	Vargas
Chu	Jackson	Mullin	Wesson
Cohn	Keene	Nakanishi	Wiggins
Corbett	Koretz	Nakano	Wolk
Correa	La Malfa	Negrete McLeod	Wyland
Cox	Laird	Oropeza	Yee
Diaz	Leno	Parra	Mr. Speaker

NOES—None

Above bill ordered enrolled.

CAUCUS ANNOUNCEMENTS

Assembly Member Bogh announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Cogdill Motion to Appeal Decision of the Chair: Mountjoy—Aye; Benoit and Lowenthal—No.

Frommer Motion to Rescind Assembly Bill No. 899: Correa and Lowenthal—Aye; Benoit, Bogh, and Mountjoy—No.

Senate Bill No. 1041 and Urgency: Aghazarian, Benoit, Correa, Cox, Frommer, Mountjoy, Salinas, and Samuelian—Aye.

Senate Bill No. 1057 and Urgency: Benoit, Correa, and Mountjoy—Aye.

Assembly Concurrent Resolution No. 165, Concurrence: Benoit, Correa, and Mountjoy—Aye.

Assembly Bill No. 971, Urgency and Concurrence: Benoit and Correa—Aye.

Assembly Bill No. 1498, Urgency and Concurrence: Benoit, La Malfa, Mountjoy, Oropeza, and Wyland—Aye.

MOTION TO ADJOURN

At 12:29 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Mountjoy seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:30 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2238—Spitzer. An act to amend Section 1299.12 of the Penal Code, relating to bail.

ASSEMBLY BILL NO. 2239—Runner. An act to amend Section 88003 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 2240—Oropeza. An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

ASSEMBLY BILL NO. 2241—Campbell. An act to amend Section 18921 of the Health and Safety Code, relating to building standards.

ASSEMBLY BILL NO. 2242—Vargas. An act to amend Section 8610 of the Government Code, relating to emergency services.

ASSEMBLY BILL NO. 2243—Vargas. An act to amend Section 6 of the County Water Authority Act (Chapter 545 of the Statutes of 1943), relating to county water authorities.

ASSEMBLY BILL NO. 2244—Vargas. An act to amend Section 104350 of the Health and Safety Code, relating to tobacco control.

ASSEMBLY BILL NO. 2245—Parra. An act relating to economic development.

ASSEMBLY BILL NO. 2246—Garcia. An act to amend Section 18370 of the Elections Code, relating to voting.

ASSEMBLY BILL NO. 2247—Salinas. An act to add Section 65100.5 to the Government Code, relating to local planning.

ASSEMBLY BILL NO. 2248—Frommer. An act to add Chapter 1.5 (commencing with Section 103860) to Part 2 of Division 102 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 2249—Jerome Horton. An act to add Section 12962.5 to the Insurance Code, relating to insurance industry investments.

ASSEMBLY BILL NO. 2250—Samuelian. An act to amend Section 273a of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2251—Lowenthal. An act to amend Section 21157.6 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 2252—Montanez. An act to amend Section 11003.5 of the Business and Professions Code, relating to subdivisions.

ASSEMBLY BILL NO. 2253—Mountjoy. An act to amend Section 204 of the Code of Civil Procedure, relating to jury duty.

ASSEMBLY BILL NO. 2254—Aghazarian. An act to amend Sections 25218.1, 25218.5, and 25218.8 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 2255—Houston. An act to amend Section 4061 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2256—Plescica. An act to amend Section 6500 of the Government Code, relating to joint exercise of powers agreements.

ASSEMBLY BILL NO. 2257—Salinas. An act to amend Sections 77229 and 77262 of the Food and Agricultural Code, relating to the California Pepper Commission.

ASSEMBLY BILL NO. 2258—Nakanishi. An act to amend Section 226 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2259—Nakanishi. An act to amend Section 14931 of the Government Code, relating to the Department of General Services.

ASSEMBLY BILL NO. 2260—Nakanishi. An act to amend Section 1602 of the Fish and Game Code, relating to fish and wildlife.

ASSEMBLY BILL NO. 2261—Parra. An act to amend Section 10006 of the Business and Professions Code, relating to real estate.

ASSEMBLY BILL NO. 2262—Oropeza. An act to add Section 7508.7 to the Business and Professions Code, relating to repossessors.

ASSEMBLY BILL NO. 2263—Dutton. An act to amend Section 51202 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2264—Chavez. An act to amend Section 65583 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 2265—Chavez. An act to amend Section 38225 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2266—Committee on Veterans Affairs (Parra (Chair), Dutton (Vice Chair), Cohn, Kehoe, Matthews, Mullin, Nakano, Runner, and Wiggins). An act to amend Section 985 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2267—Committee on Veterans Affairs (Parra (Chair), Dutton (Vice Chair), Cohn, Kehoe, Matthews, Mullin, Nakano, and Wiggins). An act to amend Section 986 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2268—Committee on Veterans Affairs (Parra (Chair), Dutton (Vice Chair), Cohn, Kehoe, Matthews, Mullin, Nakano, Runner, and Wiggins). An act to amend Section 1044.5 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2269—Committee on Veterans Affairs (Parra (Chair), Dutton (Vice Chair), Cohn, Kehoe, Matthews, Mullin, Nakano, and Wiggins). An act relating to health professions development.

ASSEMBLY BILL NO. 2270—Chan. An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2271—Parra. An act to amend Section 219 of the Code of Civil Procedure, relating to jury selection.

ASSEMBLY BILL NO. 2272—Dymally. An act to add Division 6.5 (commencing with Section 8575) to the Public Resources Code, relating to Native American lands.

ASSEMBLY BILL NO. 2273—Dymally. An act relating to tribal gaming.

ASSEMBLY BILL NO. 2274—Dymally. An act to amend Sections 11351, 11353, 11353.1, 11353.6, 11369, 11370, 11370.2, 11370.4, 11372, 11372.5, 11470, 11470.4, 11488, 11571.1, 11590 of, and to repeal Sections 11351.5 and 11353.4 of, the Health and Safety Code, and to amend Sections 629.52, 666.7, 999e, 1170.11, 1174.4, 1203.07, 1203.073, 6243, and 12022 of the Penal Code, relating to controlled substances.

ASSEMBLY BILL NO. 2275—Dymally. An act to repeal and add Chapter 12 (commencing with Section 19790) of Part 2 of Division 5 of Title 2 of the Government Code, relating to state civil service.

ASSEMBLY BILL NO. 2276—Dymally. An act to amend Section 19641.2 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 2277—Dymally. An act to add Section 42176 to the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 2278—Dymally. An act to add and repeal Section 84811 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 2279—Dymally. An act to amend Sections 60290 and 60622 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2280—Cogdill. An act to add Section 13007 to the Fish and Game Code, relating to sport fishing, and making an appropriation therefor.

ASSEMBLY BILL NO. 2281—Cogdill. An act to amend Section 1179.1 of the Health and Safety Code, relating to rural health.

ASSEMBLY BILL NO. 2282—Campbell. An act to amend Section 1001 of the Corporations Code, relating to corporations.

ASSEMBLY BILL NO. 2283—Chu (Principal coauthor: Ridley-Thomas). An act to add Article 6.7 (commencing with section 53128) to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, and to add Section 2889.7 to the Public Utilities Code, relating to the community social services telephone system.

ASSEMBLY BILL NO. 2284—Plescia. An act to amend Section 170048 of the Public Utilities Code, relating to airports.

ASSEMBLY BILL NO. 2285—Chu (Principal coauthor: Mullin). An act to amend Sections 14018.2 and 14019.4 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2286—Mountjoy. An act to add Section 49416 to the Education Code, relating to drugs.

ASSEMBLY BILL NO. 2287—Houston. An act relating to workers' compensation.

ASSEMBLY BILL NO. 2288—Pacheco. An act to amend Section 1050 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 2289—Chan. An act to add Section 1375 to the Health and Safety Code, and to add Section 10123.671 to the Insurance Code, relating to health care.

ASSEMBLY BILL NO. 2290—Chavez. An act to add Section 6102 to the Government Code, relating to local agency fees.

ASSEMBLY BILL NO. 2291—Haynes. An act to add Section 14016.85 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2292—Wolk. An act to add Section 3105 to the Family Code, relating to visitation.

ASSEMBLY BILL NO. 2293—Wolk. An act to amend Sections 1797.250, 1797.270, and 1797.272 of, and to add Sections 1797.225 and 1797.278 to, the Health and Safety Code, relating to emergency medical services.

ASSEMBLY BILL NO. 2294—Wolk. An act to add and repeal Section 13969.7 to the Government Code, and to add Sections 11166.6 and 11166.65 to the Penal Code, relating to child abuse, and making an appropriation therefor.

ASSEMBLY BILL NO. 2295—Hancock. An act to add Section 49605 to the Education Code, relating to pupil counseling.

ASSEMBLY BILL NO. 2296—Leno and Aghazarian. An act to amend Section 24013 of the Business and Professions Code, relating to alcoholic beverage control.

ASSEMBLY BILL NO. 2297—Vargas. An act to add Chapter 5.5 (commencing with Section 105320) to Part 5 of Division 103 of the Health and Safety Code, relating to lead contamination of candy.

ASSEMBLY BILL NO. 2298—Plescia. An act to add Section 65600.7 to the Government Code, relating to water conservation.

ASSEMBLY BILL NO. 2299—Plescia. An act to amend Section 25402 of the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 2300—Dymally. An act to add Section 1276.45 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 2301—Maze. An act to amend Section 16915 of the Welfare and Institutions Code, relating to health care.

ASSEMBLY BILL NO. 2302—Maze. An act to amend Section 113947 of the Health and Safety Code, relating to retail food.

ASSEMBLY BILL NO. 2303—Leno. An act to add Section 451.5 to the Public Utilities Code, and to add Section 24428 to the Revenue and Taxation Code, relating to public utilities.

ASSEMBLY BILL NO. 2304—Richman. An act to repeal Section 43024 of the Health and Safety Code, and to amend Sections 25748 and 25751 of, and to repeal Chapter 7.2 (commencing with Section 25625) of Division 15 of, the Public Resources Code, relating to energy resources, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2305—Richman. An act relating to energy resources.

ASSEMBLY BILL NO. 2306—Richman. An act to amend Section 56886 of the Government Code, relating to local agency reorganization.

ASSEMBLY BILL NO. 2307—Richman. An act to add Article 2.6 (commencing with Section 1222) to Chapter 1 of Division 2 of the Health and Safety Code, relating to health care providers.

ASSEMBLY BILL NO. 2308—Richman. An act to amend Section 12021 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 2309—Richman. An act to amend Sections 1251 and 1253 of the Unemployment Insurance Code, relating to unemployment.

ASSEMBLY BILL NO. 2310—Richman. An act to amend Section 1257 of the Unemployment Insurance Code, relating to employment.

ASSEMBLY BILL NO. 2311—Jackson. An act relating to energy efficiency.

ASSEMBLY BILL NO. 2312—Dutra (Coauthors: Cogdill, Dymally, Frommer, Laird, Pavley, and Wiggins) (Coauthors: Senators Alpert, Kuehl, and Soto). An act to amend Section 13081 of, to add Section 13082 to, and to add a division heading to, the Financial Code, relating to point-of-sale devices.

ASSEMBLY BILL NO. 2313—Chan. An act to amend Section 130311.5 of the Health and Safety Code relating to medical information.

ASSEMBLY BILL NO. 2314—Jerome Horton. An act to amend Sections 19570 and 19590 of the Government Code, relating to state employees.

ASSEMBLY BILL NO. 2315—Maldonado. An act to add Section 17216 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2316—Chan. An act to add Section 789.11 to the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 2317—Oropeza. An act to amend Section 1197.5 of the Labor Code, relating to gender pay equity.

ASSEMBLY BILL NO. 2318—Hancock. An act to add Section 36525 to the Government Code, relating to cities.

ASSEMBLY BILL NO. 2319—Mullin. An act relating to intellectual property.

ASSEMBLY BILL NO. 2320—Bates and Richman. An act to amend Section 1280 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 2321—Dutton. An act to amend Section 12050 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 2322—Bates. An act to amend Sections 140.5, 984, 2613, and 3301 of the Unemployment Insurance Code, relating to unemployment.

ASSEMBLY BILL NO. 2323—Jackson and Oropeza (Principal coauthor: Steinberg) (Coauthor: Wesson). An act to add Section 254 to the Education Code, relating to gender equity.

ASSEMBLY BILL NO. 2324—Chan. An act to add Title 12.5 (commencing with Section 93250) to the Government Code, relating to data collection.

ASSEMBLY BILL NO. 2325—Bates. An act to add Sections 17053.54 and 23654 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2326—Corbett. An act to add Section 444.26 to the Health and Safety Code, relating to prescription drugs.

ASSEMBLY BILL NO. 2327—Chan. An act to add Section 51210.6 to the Education Code, relating to curriculum.

ASSEMBLY BILL NO. 2328—Wyland (Coauthor: Chavez). An act to amend Sections 17276, 23802, 23803, 23806, 23809, and 24654 of the Revenue and Taxation Code, and to amend Section 76 of Chapter 35 of the Statutes of 2002, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2329—Corbett. An act to amend Section 4016.5 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 2330—Samuelian. An act relating to volunteer firefighters.

ASSEMBLY BILL NO. 2331—Mountjoy. An act to add Section 123451 to the Health and Safety Code, relating to abortion.

ASSEMBLY BILL NO. 2332—Corbett. An act to amend Section 6359 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2333—Dutra. An act to add Chapter 8 (commencing with Section 945.30) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defect actions.

ASSEMBLY BILL NO. 2334—Samuelian. An act to amend Section 19849.18 of the Government Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2335—Liu. An act to amend Section 44511 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2336—Pacheco. An act to add Chapter 3 (commencing with Section 3000) to Title 14 of Part 4 of Division 3 of the Civil Code, relating to attorney's liens.

ASSEMBLY BILL NO. 2337—Corbett. An act to amend Section 50078.1 of the Government Code, relating to fire suppression.

ASSEMBLY BILL NO. 2338—Samuelian. An act to amend Section 830.35 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 2339—Negrete McLeod. An act to amend Section 66602 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 2340—Liu. An act to add Section 33192.1 to the Education Code, and to amend Sections 11101 and 12814.6 of the Vehicle Code, relating to driver education.

ASSEMBLY BILL NO. 2341—Aghazarian. An act to amend Sections 8355, 8356, and 12990 of the Government Code, and to amend Sections 6108 and 10296 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2342—Jackson. An act to add Section 116365.2 to the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 2343—Nation. An act to amend Section 17074.52 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2344—Corbett. An act relating to taxation.

ASSEMBLY BILL NO. 2345—Maddox. An act to add Section 5307.22 to the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2346—Corbett. An act to add and repeal Article 11.5 (commencing with Section 18825) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2347—Maddox. An act to amend Section 1717.5 of the Civil Code, relating to attorney's fees.

ASSEMBLY BILL NO. 2348—Mullin. An act to amend Section 65584 of the Government Code, relating to housing.

ASSEMBLY BILL NO. 2349—Corbett. An act to amend Section 95 of the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 2350—Chavez. An act to amend Sections 7300.1, 7300.3, 7300.4, 7301.1, 7301.5, 7309.1, 7310, 7311, 7311.1, 7311.2, 7311.3, 7311.4, 7313, 7315, 7316, and 7324 of the Labor Code, relating to safety in employment.

ASSEMBLY BILL NO. 2351—Corbett. An act to add Section 798.80.5 to the Civil Code, relating to mobilehome parks.

ASSEMBLY BILL NO. 2352—Jackson. An act to amend Section 1568.01 of the Health and Safety Code, relating to care facilities.

ASSEMBLY BILL NO. 2353—Leslie. An act to amend Sections 1950, 1951, 1953, 1955, 1957, 1959, and 1961 of, and to amend the heading of Chapter 6 (commencing with Section 1950) of Division 2.5 of, the Streets and Highways Code, and to amend Sections 385.5, 21250, 21251, and 21260 of the Vehicle Code, relating to neighborhood electric vehicles.

ASSEMBLY BILL NO. 2354—Levine. An act to add Title 2.98 (commencing with Section 1812.800) to Part 4 of Division 3 of the Civil Code, relating to health care discount programs.

ASSEMBLY BILL NO. 2355—Oropeza. An act to amend Section 20536 of the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 2356—Committee on Budget (Steinberg (Chair), Bermudez, Chan, Diaz, Dutra, Dymally, Goldberg, Hancock, Jackson, Levine, Liu, Montanez, Nakano, Pavley, Reyes, Simitian, and Wolk). An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2357—Plescia. An act to amend Sections 218 and 275 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2358—Steinberg (Principal coauthor: Garcia). An act to amend Sections 5204 and 5220 of the Family Code, relating to child support.

ASSEMBLY BILL NO. 2359—Daucher. An act to amend Section 56175 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 2360—Daucher. An act to amend Section 56366 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 2361—Daucher. An act to amend Section 56341 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 2362—Daucher. An act to amend Sections 56505, 56505.2, and 56507 of the Education Code, relating to special education.

ASSEMBLY BILL NO. 2363—Correa. An act to amend Sections 2982, 2985.8, and 2991 of the Civil Code, relating to automobile sales and leases.

ASSEMBLY BILL NO. 2364—Correa. An act relating to public pension systems, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2365—Correa (Coauthors: Harman, Maze, Negrete McLeod, and Wyland). An act to add Sections 17053.48 and 23635 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2366—Chan. An act to amend Section 9250.17 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2367—Chan. An act to add Section 49416 to the Education Code, relating to pupil health.

ASSEMBLY BILL NO. 2368—Shirley Horton. An act to amend Sections 9542 and 9545 of the Welfare and Institutions Code, relating to aging.

ASSEMBLY BILL NO. 2369—Correa (Principal coauthors: Dutra and Liu). An act to add Section 479 to, and to add Chapter 6 (commencing with Section 17300) to Part 2 of Division 7 of, the Business and Professions Code, relating to business.

ASSEMBLY BILL NO. 2370—Goldberg. An act to add Section 51207 to the Education Code, relating to courses of study.

ASSEMBLY BILL NO. 2371—Bates. An act to amend Sections 6147 and 6157.2 of, and to add Section 6147.1 to, the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 2372—Correa. An act to amend Section 188.8 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 2373—Goldberg. An act relating to education finance.

ASSEMBLY BILL NO. 2374—Bates. An act to amend Section 1785.26 of the Civil Code, relating to credit.

ASSEMBLY BILL NO. 2375—Harman. An act to add Part 1.5 (commencing with Section 10000) to Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2376—Bates. An act to amend Section 1373 of, and to add Section 1378 to, the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 2377—Longville. An act to amend Sections 11200, 11202, 11202.5, 11205, 11206, 11208, and 11215 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2378—Harman. An act to add Chapter 4.2 (commencing with Section 1395) to Division 2 of the Fish and Game Code, relating to riparian streams, and making an appropriation therefor.

ASSEMBLY BILL NO. 2379—Campbell. An act to add Section 25249.7.2 to the Health and Safety Code, relating to toxic substances.

ASSEMBLY BILL NO. 2380—Harman. An act to add Part 2 (commencing with Section 7600) to, and to repeal Part 2 (commencing with Section 7540) and Part 3 (commencing with Section 7600) of, Division 12 of the Family Code, relating to parent and child relationships.

ASSEMBLY BILL NO. 2381—La Suer (Coauthor: Senator Hollingsworth). An act relating to forest resources.

ASSEMBLY BILL NO. 2382—Mullin and Chan. An act to amend Sections 42238.5, 42238.51, and 42238.52 of the Education Code, relating to education funding.

ASSEMBLY BILL NO. 2383—Cox. An act to amend Section 602.1 of the Penal code, relating to crimes.

ASSEMBLY BILL NO. 2384—Nakano. An act to amend Sections 10163.3, 10172.5, 10174, and 10489.93 of, and to add Section 10163.935 to, the Insurance Code, relating to life insurance.

ASSEMBLY BILL NO. 2385—Keene. An act to amend Section 3202 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2386—Keene. An act to amend Section 3202 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2387—Firebaugh. An act relating to discrimination.

ASSEMBLY BILL NO. 2388—Lowenthal. An act to amend Section 8670.23 of the Government Code, relating to harbors.

ASSEMBLY BILL NO. 2389—Koretz. An act to add Section 1373.185 to the Health and Safety Code, and to add Section 10133.4 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 2390—Reyes and Chan. An act to amend Sections 1657 and 1800 of the Business and Professions Code, relating to the healing arts.

ASSEMBLY BILL NO. 2391—Koretz. An act to amend Section 19130 of the Government Code, relating to public employment.

ASSEMBLY BILL NO. 2392—Houston. An act to amend Section 20103.8 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2393—Spitzer. An act to amend Section 14000 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2394—Dutra and Goldberg. An act to amend Sections 59008 and 59104 of, and to add Article 5 (commencing with Section 56070) to Chapter 1 of Part 30 of, the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2395—Correa. An act to add Section 76104.6 to the Government Code, to amend Sections 295, 295.1, 296, 297, 298, 299, 299.5, 299.6, 300, and 300.1 of, to add Sections 298.2, 298.3, and 300.4 to, and to repeal and add Section 296.1 to, the Penal Code, relating to forensic identification.

ASSEMBLY BILL NO. 2396—Wiggins. An act to add Section 1021.11 to the Code of Civil Procedure, relating to court costs.

ASSEMBLY BILL NO. 2397—Shirley Horton. An act to amend Sections 4535.1, 7084, 7118, 14842, and 14842.5 of the Government Code, and to amend Sections 10303 and 12102 of, and to add Article 11 (commencing with Section 10287) to Chapter 1 of Part 2 of Division 2 of, the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2398—Dutton. An act relating to taxation.

ASSEMBLY BILL NO. 2399—Liu. An act to add Chapter 11.1 (commencing with Section 679.75) to Part 1 of Division 1 of the Insurance Code, relating to homeowners' insurance.

ASSEMBLY BILL NO. 2400—Keene. An act to amend Sections 11642 and 17920.3 of the Health and Safety Code, relating to substandard buildings.

ASSEMBLY BILL NO. 2401—Harman. An act to amend Section 13146.1 of, and to add Sections 12606.1, 13188.4, and 13197.6 to, the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 2402—Lieber and Koretz. An act to add Part 12.5 (commencing with Section 2696) to Division 2 of the Labor Code, relating to employment, and making an appropriation therefor.

ASSEMBLY BILL NO. 2403—Jackson. An act to amend Sections 647 and 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2404—Steinberg. An act to add Section 53080 to the Government Code, relating to discrimination.

ASSEMBLY BILL NO. 2405—Nakano. An act to add and repeal Section 52128.7 of the Education Code, relating to class size.

ASSEMBLY BILL NO. 2406—Bermudez. An act to add Chapter 8 (commencing with Section 13260) to Part 2 of Division 12 of the Health and Safety Code, relating to fire safety.

ASSEMBLY BILL NO. 2407—Bermudez. An act to repeal Section 46111 of the Education Code, relating to kindergarten.

ASSEMBLY BILL NO. 2408—Yee. An act to amend Sections 7294, 7299.4, and 7299.6 of, and to add Sections 7299.7 and 7299.75 to, the Government Code, relating to bilingual services.

ASSEMBLY BILL NO. 2409—Yee and Bates. An act to add Section 1261.6 to the Business and Professions Code, relating to clinical laboratory scientists.

ASSEMBLY BILL NO. 2410—Yee. An act to amend Section 3642 of the Business and Professions Code, relating to naturopathic doctors.

ASSEMBLY BILL NO. 2411—Yee. An act relating to international trade.

ASSEMBLY BILL NO. 2412—Yee. An act to amend Section 1253.3 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 2413—Diaz (Principal coauthors: Firebaugh and Goldberg). An act to add Chapter 5.5 (commencing with Section 60700) to Part 33 of the Education Code, relating to English learners.

ASSEMBLY BILL NO. 2414—Hancock. An act to amend Section 12300 of the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 2415—Garcia. An act to repeal Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, relating to public education.

ASSEMBLY BILL NO. 2416—Goldberg. An act to amend Section 51700 of the Education Code, relating to courses of instruction.

ASSEMBLY BILL NO. 2417—Jackson. An act to add Section 273.03 to the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2418—La Malfa. An act to amend Section 51224.5 of the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2419—Campbell. An act to amend Section 1756 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2420—La Malfa (Coauthor: Cox). An act to amend Sections 4584 and 4799.13 of the Public Resources Code, relating to forest resources.

ASSEMBLY BILL NO. 2421—Campbell. An act relating to the disclosures made by the Franchise Tax Board.

ASSEMBLY BILL NO. 2422—La Malfa. An act relating to water.

ASSEMBLY BILL NO. 2423—Haynes. An act to add Section 65008.8 to the Government Code, relating to land use.

ASSEMBLY BILL NO. 2424—La Malfa. An act to amend Section 44101 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2425—Cox. An act to amend Section 19823 of, and to amend the heading of Article 2 (commencing with Section 19823) of Division 5 of Title 2 of, the Government Code, relating to state merit awards.

ASSEMBLY BILL NO. 2426—Wiggins. An act to amend Section 139.2 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2427—Samuelian. An act to add Section 678.6 to the Insurance Code, relating to insurance coverage.

ASSEMBLY BILL NO. 2428—Chu. An act to amend Section 422.95 of, and to add Sections 422.96 and 422.97 to, the Penal Code, relating to hate crimes.

ASSEMBLY BILL NO. 2429—Chavez. An act to amend Section 1375.7 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 2430—Wiggins. An act to amend Sections 5500 and 5501 of the Public Utilities Code, relating to commercial air carriers.

ASSEMBLY BILL NO. 2431—Steinberg. An act to amend Section 6389 of the Family Code, and to amend Sections 1417.5, 12001, 12026.2, 12028, 12028.5, 12028.7, 12070, 12071, 12072, 12073, 12076, 12078, 12083, 12084, and 12289 of, the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 2432—Oropeza. An act to add Section 764 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2433—Leno. An act to amend Section 25631 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 2434—Bates (Principal coauthor: Jackson) (Principal coauthor: Senator Morrow). An act to add Section 2454.3 to the Streets and Highways Code, relating to railroad crossings, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2435—Wiggins. An act to add Section 51220.6 to the Education Code, relating to instruction.

ASSEMBLY BILL NO. 2436—Bates. An act to amend Section 1206.5 of the Business and Professions Code, relating to clinical laboratories.

ASSEMBLY BILL NO. 2437—Pacheco. An act to amend Sections 34090.5 and 50110 of, and to add Section 34090.9 to, the Government Code, relating to cities.

ASSEMBLY BILL NO. 2438—Leslie. An act to amend Section 20133 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2439—Haynes. An act to amend Section 115825 of, and to add Section 115843.5 to, the Health and Safety Code, relating to drinking water.

ASSEMBLY BILL NO. 2440—Shirley Horton (Coauthors: Bates, La Suer, Plescia, and Vargas). An act to amend Sections 23109 and 40000.15 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2441—Levine. An act to add Section 11736.2 to the Insurance Code, and to amend Section 4603.2 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2442—Harman. An act to amend Section 721.5 of the Revenue and Taxation Code, relating to property taxation.

ASSEMBLY BILL NO. 2443—Daucher. An act to amend Section 656 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 2444—Dutton. An act to add Section 10100.3 to the Insurance Code, relating to property insurance.

ASSEMBLY BILL NO. 2445—Canciamilla. An act to amend Section 4731 of, and to add Chapter 6 (commencing with Section 4745) to Part 2 of Division 4.7 of the Probate Code, and to amend Section 12811 of, and to add Section 1672.6 to, the Vehicle Code, relating to advance health care directives.

ASSEMBLY BILL NO. 2446—Montanez (Coauthor: Pavley). An act to amend Sections 17077.40 and 17077.42 of, and to add Section 17077.44 to, the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2447—Diaz. An act to amend Section 302 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2448—Diaz. An act to amend Section 13050 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2449—Diaz. An act to add Section 6101.5 to the Public Contract Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2450—Canciamilla. An act to amend Section 6609.1 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 2451—Longville. An act to repeal Section 11382 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2452—Houston. An act relating to workers' compensation.

ASSEMBLY BILL NO. 2453—Keene. An act relating to education finance.

ASSEMBLY BILL NO. 2454—Longville. An act to amend Section 11302 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2455—Canciamilla. An act to amend Sections 66061, 60200, and 60223 of the Education Code, relating to instructional materials.

ASSEMBLY BILL NO. 2456—Spitzer. An act to amend Section 14527 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 2457—Goldberg. An act to amend Section 94999 of the Education Code, relating to private postsecondary education, and making an appropriation therefor.

ASSEMBLY BILL NO. 2458—Benoit. An act to amend Section 11202 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2459—Strickland. An act relating to transportation.

ASSEMBLY BILL NO. 2460—Campbell. An act relating to state employees.

ASSEMBLY BILL NO. 2461—Houston. An act to amend Sections 42238 and 42238.44 of, and to repeal Section 42238.46 of, the Education Code, relating to education finance.

ASSEMBLY BILL NO. 2462—Parra. An act to amend Section 42238.15 to the Education Code, relating to school transportation.

ASSEMBLY BILL NO. 2463—Runner. An act to amend Sections 17053.70, 17053.74, 23612.2, and 23622.7 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2464—Pacheco. An act to amend Section 3070 of, and to add Section 3071 to, the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 2465—Committee on Environmental Safety and Toxic Materials (Laird (Chair), Aghazarian (Vice Chair), Chu, Levine, Lieber, Lowenthal, and Maddox). An act to amend Section 25502 of the Health and Safety Code, relating to hazardous materials.

ASSEMBLY BILL NO. 2466—Committee on Environmental Safety and Toxic Materials (Laird (Chair), Aghazarian (Vice Chair), Chu, Levine, Lieber, Lowenthal, and Maddox). An act to amend Sections 12812.2 and 12812.3 of the Government Code, relating to environmental protection.

ASSEMBLY BILL NO. 2467—Garcia. An act to amend Section 1269b of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 2468—Garcia. An act to amend Section 29550 of the Government Code, and to add Section 1269.5 to the Penal Code, relating to booking fees.

ASSEMBLY BILL NO. 2469—Committee on Higher Education (Liu (Chair), Pacheco (Vice Chair), Bogh, Shirley Horton, Jackson, Lowenthal, Matthews, Nakanishi, and Negrete McLeod). An act to amend Sections 67312, 67380, and 89009 of, and to repeal Sections 69561.5, 69563, and 99155 of, the Education Code, and to amend Section 10860 of the Public Contract Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2470—Kehoe. An act to amend Section 2079.10 of the Civil Code, and to amend Section 375.5 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2471—Longville. An act relating to transportation.

ASSEMBLY BILL NO. 2472—Wolk. An act to amend Sections 6561, 6561.5, 6563, 6565, 12428, 12430, 12431, 19045, 19046, 19047, 19048, 19050, 19301, 19324, 19331, 19332, 19333, 19334, 19335, 19343, 19344, 19345, 19346, 19347, 19350, 19381, 19382, and 19384 of, to add Part 12 (commencing with Section 25150) to Division 2 of, and to repeal Sections 6562, 6564, and 12429 of, the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2473—Wolk. An act relating to solar energy.

ASSEMBLY BILL NO. 2474—Wolk. An act to add Section 15630.1 to the Welfare and Institutions Code, relating to elder abuse.

ASSEMBLY BILL NO. 2475—Wolk. An act to add Section 5027 to the Penal Code, relating to corrections.

ASSEMBLY BILL NO. 2476—Wolk. An act to amend Sections 29702, 29703, 29705, 29706, 29707, and 29735 of, to add Section 29740.5 to, and to repeal Section 29741 of, the Public Resources Code, relating to the Sacramento-San Joaquin Delta.

ASSEMBLY BILL NO. 2477—Liu (Coauthors: Jackson, Lowenthal, Matthews, and Negrete McLeod). An act to add Section 66406 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2478—Cogdill. An act to amend Section 4507 of the Food and Agricultural Code, relating to fairs.

ASSEMBLY BILL NO. 2479—Wyland. An act to amend Section 23152 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2480—Campbell. An act to repeal Sections 18621.9 and 19170 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2481—Nunez. An act to amend Section 63021.5 of the Government Code, relating to economic development, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2482—Campbell. An act to amend Section 9795 of the Government Code, relating to state reports.

ASSEMBLY BILL NO. 2483—Chan. An act relating to substance abuse.

ASSEMBLY BILL NO. 2484—Ridley-Thomas. An act relating to energy.

ASSEMBLY BILL NO. 2485—Chan. An act to add Section 17212.1 to the Education Code, and to add Section 589 to the Public Utilities Code, relating to schools.

ASSEMBLY BILL NO. 2486—Mountjoy. An act to amend Section 3100 of the Family Code, relating to visitation rights.

ASSEMBLY BILL NO. 2487—Ridley-Thomas. An act relating to the recall of elected officials.

ASSEMBLY BILL NO. 2488—Parra. An act to amend Section 17001 of the Financial Code, relating to escrows.

ASSEMBLY BILL NO. 2489—Maddox. An act to amend Section 1624 of the Civil Code, relating to contracts.

ASSEMBLY BILL NO. 2490—Maddox. An act to amend Section 1764.1 of the Insurance Code, relating to surplus line brokers.

ASSEMBLY BILL NO. 2491—Jerome Horton. An act to add Section 22978.8 to the Business and Professions Code, and to add Section 30436.1 to the Revenue and Taxation Code, relating to tobacco products.

ASSEMBLY BILL NO. 2492—La Suer. An act to amend Section 8811.5 of the Family Code, relating to adoption.

ASSEMBLY BILL NO. 2493—Lieber. An act to amend Section 14009.5 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2494—Lieber. An act to add Division 112 (commencing with Section 130420) to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 2495—Dutton. An act to amend Section 75 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2496—Shirley Horton. An act to add Chapter 5.1 (commencing with Section 16524) to Part 4 of Division 9 of the Welfare and Institutions Code, relating to child welfare services.

ASSEMBLY BILL NO. 2497—Cox. An act to amend Sections 25301, 25302, and 25320 of, and to add Section 25511.5 to, the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 2498—Longville. An act to amend Section 2562.2 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 2499—Jerome Horton. An act to add Section 366.8 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2500—Wyland. An act to amend Section 60648 of the Education Code, relating to pupil testing.

ASSEMBLY BILL NO. 2501—Jerome Horton. An act to amend Sections 12001, 12023, and 12031 of, and to add Section 461.5 to, the Penal Code, relating to firearms,

ASSEMBLY BILL NO. 2502—Keene. An act to amend Section 369.5 of the Welfare and Institutions Code, relating to dependent children.

ASSEMBLY BILL NO. 2503—Liu. An act to add Section 1936.1 to the Civil Code, relating to rental vehicles.

ASSEMBLY BILL NO. 2504—Maldonado. An act to amend Section 49531.1 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 2505—Maldonado. An act to amend Section 829 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2506—Maldonado. An act to add Section 61600.35 to the Government Code, relating to community services districts.

ASSEMBLY BILL NO. 2507—Maldonado. An act to amend 7581, 7582.2, 7583.2, 7583.8, 7583.9, 7583.34, 7583.36, and 7587.7 of the Business and Professions Code, relating to private security services.

ASSEMBLY BILL NO. 2508—Committee on Revenue and Taxation (Bermudez (Chair), Wyland (Vice Chair), Harman, Laird, and Leno). An act relating to the Fred C. Nelles School for Boys.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 26—Lieber. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 23 to Article IV thereof, relating to federal funds.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 183—Dymally. Relative to Elder and Dependent Adult Abuse Prevention Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 184—Chan. Relative to the Joint Committee on California's Children.

ASSEMBLY JOINT RESOLUTION NO. 65—Bogh (Principal coauthor: Senator Battin) (Coauthors: Chavez, Salinas, and Wiggins). Relative to the Soboba Band of Luiseno Indians.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: February 19, 2004

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 56

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolution ordered to third reading.

INTRODUCTION OF GUESTS

Assembly Member Montanez, of the 39th Assembly District, introduced Hon. Diputado Ricardo Castro Lopez, Member of Chihuahua (Mexico) State Legislature.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 6 a.m., Friday, February 20, 2004, out of respect to the memory of Maxine Gonsalves, on motion of Assembly Members Mullin and Yee; out of respect to the memory of CHP Officer Ray Moreno Arredondo, on motion of Assembly Member Garcia; out of respect to the memory of Rudolf Papilion, on motion of Assembly Member Levine; out of respect to the memory of Carlos Badger, on motion of Assembly Member Cogdill; out of respect to the memory of Sgt. Patrick S. Tainsh, on motion of Assembly Member Bates; out of respect to the memory of Lucy Villegas Ortiz, on motion of Assembly Member Laird; out of respect to the memory of Viola "Vi" Buono, on motion of Assembly Member Maldonado; out of respect to the memory of Gene Devers, on motion of Assembly Member Runner; out of respect to the memory of Charles DeWayne Clark, on motion of Assembly Member Runner; and out of respect to the memory of Judy Parks-Dudley, on motion of Assembly Member Spitzer.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 20, 2004

**ONE HUNDRED FIFTY-SEVENTH SESSION DAY
FOUR HUNDRED FORTY-SIXTH 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
Friday, February 20, 2004

The Assembly met at 6 a.m.

Hon. Juan Vargas, Assembly Member, 79th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—51:

Aghazarian	Frommer	Lowenthal	Reyes
Benoit	Goldberg	Matthews	Richman
Berg	Harman	McCarthy	Ridley-Thomas
Bermudez	Horton, Shirley	Montanez	Salinas
Calderon	Houston	Mountjoy	Samuelian
Chavez	Jackson	Mullin	Spitzer
Chu	Keene	Nakanishi	Steinberg
Cogdill	Koretz	Nakano	Vargas
Cohn	La Malfa	Negrete McLeod	Wiggins
Cox	Laird	Oropeza	Wolk
Dutra	Leno	Pacheco	Wyland
Dutton	Leslie	Parra	Mr. Speaker
Dymally	Levine	Plescia	

Quorum present.

At 11:05 a.m., Hon. Patty Berg, 1st District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Bates, Bogh, Canciamilla, Chan, Corbett, Correa, Daucher, Firebaugh, Garcia, Hancock, Haynes, Jerome E. Horton, Kehoe, La Suer, Lieber, Liu, Longville, Maddox, Maldonado, Maze, Pavley, Simitian, Strickland, Wesson, and Yee.

On personal business, and waiving per diem: Assembly Members Campbell, Diaz, and Nation.

Because of a death in her family: Assembly Member Runner.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request permission for myself to be excused from check-in session on Friday, February 20th in order to travel to the district on Thursday evening following Floor Session. The purpose of this travel is to attend to urgent district issues.

Thank you for your consideration of this request. Please contact Jennie Teel in my office with any questions.

Sincerely,

PATRICIA BATES, Assembly Member
Seventy-third District

February 13, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Assembly Speaker Nunez,

This letter is a request to be excused from Session on Friday, February 20th 2004 for legislative business in my District.

Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I request to be excused from legislative session on Friday, February 20, 2004. I have been invited to address the Santa Margarita Water District water issues forum in Mission Viejo.

Thank you for your consideration to this request.

Sincerely,

JOSEPH CANCIAMILLA, Assembly Member
Eleventh District

February 18, 2004

*The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I am requesting to be excused from Check-In Session on Friday, February 20, 2004 due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I would like to request permission to be excused from Session on Friday, February 20, 2004. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

February 3, 2004

*The Honorable Fabian Nunez
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: Please excuse me from check in session and/or floor session on Friday, February 20, 2004. I will be attending to legislative business in the district.

Thank you.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

February 17, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I hereby request that I be excused from session on Friday, February 20, 2004 on legislative business on Thursday, February 19, 2004.

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

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Friday, February 20, 2004. I will be in my district on legislative business.

Thank you in advance for your consideration. If you have any questions or comments, I can be reached at (916) 319-2050.

Sincerely,
MARCO ANTONIO FIREBAUGH, Assembly Member
Fiftieth District

February 19, 2004

*Hon. Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am requesting to be excused from session on February 20, 2004 to attend to legislative business in my district. Please address my staff at your earliest convenience as to whether or not this request has been granted.

Thank you.

BONNIE GARCIA, Assembly Member
Eightieth District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
Room 219
State Capitol*

Dear Mr. Speaker: I respectfully request an excused absence from Session on February 20, 2004. I have legislative business in the District.

Sincerely,

LONI HANCOCK, Assembly Member
Fourteenth District

February 12, 2004

*The Honorable Fabian Nunez
Speaker of the House
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: Please excuse me, Assembly Member Ray Haynes, District #66, from Assembly Check-in on Friday, February 20, 2004, due to legislative business in my district.

Sincerely,

RAY HAYNES, Assembly Member
Sixty-sixth District

February 20, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Friday, February 20, 2004, due to legislative business in my district. I will return to Sacramento on Tuesday, February 24, 2004, in time for Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Friday, February 20, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

February 11, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I am requesting to be excused from legislative session on Friday, February 20, on legislative business to attend the Blue Ribbon Fire Commission.

Thank you in advance for your assistance.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the State Assembly
State Capitol
Sacramento, California*

Dear Speaker Nunez: I would like to be excused from check-in session on February 20, 2004 due to legislative business in my district.

If you have any questions, please contact my Chief of Staff, Matt Moretti, at 319-2022.

Sincerely,

SALLY J. LIEBER, Assembly Member
Twenty-second District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the California Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am requesting permission to be excused from check-in session on Friday, February 20th.

I am an Executive member of the Advisory Committee for a Cultural Plan in Pasadena. The kick-off meeting is scheduled for the evening of February 19th and the morning of the 20th. I am scheduled to speak at both of the events. Any questions you may have regarding this request may be directed to my assistant, Janet Lopez, @ 319-2044.

Thank you for your favorable consideration of this request.

Sincerely,

CAROL LIU, Assembly Member
Forty-fourth District

February 11, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request that I be excused from Check-in Session on Friday, February 20, 2004, due to legislative business in my district.

Thanking you in advance for your consideration of my request.

Sincerely,

ABEL MALDONADO, Assembly Member
Thirty-third District

February 12, 2004

*Speaker Fabian Nunez
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I respectfully request your permission to be excused from Session in the morning of Friday, February 20, 2004, for legislative business. I am scheduled to be the keynote speaker for the Inyo County Superintendents of Schools annual conference that was scheduled months ago.

Should you have any questions please call my Chief of Staff, Sam Cannon, in my capitol office. Thank you for your consideration of my request.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Check-In on Friday, February 20, 2004. I have several very important district events to attend that I cannot miss.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

February 19, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: This is a request to be excused from Session or Check-In Session on Friday, February 20, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: Due to session schedule change, I will be here for session on February 19, 2004. I respectfully request a legislative excuse for the date of February 20, 2004, as I will be unable to attend check-in session that day due to legislative business in my district.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

February 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: This is to request permission to be excused from check in Session on Friday, February 20 on legislative business.

Sincerely,

HERB J. WESSON, Jr.
Speaker Emeritus of the California Assembly

February 18, 2004

*The Honorable Fabian Nunez
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from the Assembly Check-In Session on Friday February 20th. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

(NOTE: For letters explaining the absences of Assembly Members Longville and Maddox on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 19, 2004.)

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 20, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Designation of Fredericka McGee
to California Earthquake Insurance Authority Governing Board

Dear Mr. Wilson: Please be advised I have selected Ms. Fredericka McGee to the California Earthquake Insurance Authority Governing Board. This is a pleasure appointment starting February 20, 2004. Ms. McGee will be replacing Ms. Theresa Taylor-Carroll.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 11, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**One-House Legislature, Terms. Procedures.
Initiative Constitutional Amendment. SA 2003RF0070**

Referred by the Speaker to the Committees on Elections, Redistricting and Constitutional Amendments and Rules.

**Legalized Casino-Type Gambling.
Cities of Barstow and Oakland Pilot Program.
Initiative Constitutional Amendment. SA 2003RF0071**

Referred by the Speaker to the Committee on Governmental Organization.

**Legislative Voting Records. Campaign Disclosure.
Initiative Statute. SA 2003RF0079**

Referred by the Speaker to the Committee on Elections, Redistricting and Constitutional Amendments.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 19, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 971

And reports the same correctly enrolled, and presented to the Governor on the 19th day of February, 2004, at 3:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, February 20, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 146

Assembly Concurrent Resolution No. 161

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of February, 2004, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 2509—Nakanishi. An act to add Chapter 5.5 (commencing with Section 2780) to Part 2 of Division 1 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2510—Nakanishi. An act to add Article 8 (commencing with Section 390) to Chapter 4 of Division 1 of the Business and Professions Code, relating to health care.

ASSEMBLY BILL NO. 2511—Oropeza. An act to amend Section 23800 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 2512—Jerome Horton. An act to amend Section 51221.4 of the Education Code, relating to curriculum.

ASSEMBLY BILL NO. 2513—Levine. An act relating to animals.

ASSEMBLY BILL NO. 2514—Committee on Natural Resources (Jackson (Chair), Hancock, Koretz, Laird, Lieber, and Lowenthal, and Wolk). An act to amend Sections 30222.5, 30301, 30301.2, 30301.5, 30310, 30315.1, and 30517.6 of, and to repeal Section 30521 of, the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2515—Runner. An act to add Section 65584.2 to the Government Code, relating to housing.

ASSEMBLY BILL NO. 2516—Vargas and Correa. An act to amend Sections 22442 and 22444 of the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 2517—Berg (Coauthor: Senator Chesbro). An act to amend Sections 8276, 8278, and 9004 of, to amend, renumber, and add Section 8282 of, and to add Sections 8275.5, 8282.2, 8282.3, 8282.4, and 8282.5 to, the Fish and Game Code, relating to fish, and making an appropriation therefor.

ASSEMBLY BILL NO. 2518—Keene. An act to add Section 5080.29 to the Public Resources Code, relating to state parks.

ASSEMBLY BILL NO. 2519—Berg (Coauthor: Senator Chesbro). An act to add Sections 7861.5, 8552.1, and 8552.3 to, the Fish and Game Code, relating to fish, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2520—Vargas. An act to amend Section 10113.1 of the Insurance Code, relating to insurance settlements.

ASSEMBLY BILL NO. 2521—Nation. An act relating to rental property.

ASSEMBLY BILL NO. 2522—Nakanishi. An act to amend Section 20251 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2523—Frommer. An act to amend Section 11571.1 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2524—Yee and Firebaugh. An act to add Section 14075.1 to the Corporations Code, and to add Part 6.7 (commencing with Section 15390) to Division 3 of Title 2 of the Government Code, relating to export development, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2525—Committee on Education (Goldberg (Chair), Nakanishi (Vice Chair), Cohn, Diaz, Hancock, Liu, Mullin, Pavley, Reyes, and Wyland). An act to amend Sections 1240.1, 1240.2, 1625, 42120, 42129, 42131, and 42133.5 of, and to repeal Section 8206.3 of, the Education Code, relating to education.

ASSEMBLY BILL NO. 2526—Oropeza. An act to amend Section 60651 of the Revenue and Taxation Code, relating to air quality.

ASSEMBLY BILL NO. 2527—Frommer. An act to amend Section 290 of the Penal Code, relating to sex offender registration.

ASSEMBLY BILL NO. 2528—Lowenthal. An act to repeal and add Section 116455 of the Health and Safety Code, relating to public water systems.

ASSEMBLY BILL NO. 2529—Kehoe. An act to amend Section 13170.2 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2530—Levine. An act to amend Sections 706.034 and 1532 of the Code of Civil Procedure, to amend Section 5235 of the Family Code, to amend Sections 12461 and 12464 of, and to add Section 16582 to, the Government Code, and to amend Section 3088 of the Probate Code, relating to the Controller.

ASSEMBLY BILL NO. 2531—Bates. An act to amend Section 11165.7 of the Penal Code, relating to child abuse reporting.

ASSEMBLY BILL NO. 2532—Hancock. An act relating to health facilities.

ASSEMBLY BILL NO. 2533—Salinas. An act to add Chapter 15 (commencing with Section 8899.30) to Division 1 of Title 2 of the Government Code, relating to seismic safety.

ASSEMBLY BILL NO. 2534—Bates. An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 2535—Steinberg. An act to amend Sections 8880.4 and 8880.5 of the Government Code, relating to the California State Lottery.

ASSEMBLY BILL NO. 2536—Lieber. An act to add Part 5.6 (commencing with Section 19959.10) to Division 13 of the Health and Safety Code, relating to building accessibility.

ASSEMBLY BILL NO. 2537—Mountjoy. An act to add Title 1.81.4 (commencing with Section 1798.98) to Part 4 of Division 3 of the Civil Code, relating to privacy.

ASSEMBLY BILL NO. 2538—Strickland. An act to amend Section 19596.1 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 2539—Plescica. An act to amend Section 321.6 of the Public Utilities Code, relating to the Public Utilities Commission.

ASSEMBLY BILL NO. 2540—Parra. An act to add Section 650 to the Military and Veterans Code, relating to flags, and making an appropriation therefor.

ASSEMBLY BILL NO. 2541—Frommer. An act to add Article 7 (commencing with Section 10390) to Chapter 2 of Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2542—McCarthy. An act to amend Section 11379.7 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2543—Strickland. An act to amend Section 11166 of the Penal Code, relating to mandated reporters.

ASSEMBLY BILL NO. 2544—Calderon and Jerome Horton. An act relating to economic development.

ASSEMBLY BILL NO. 2545—Koretz and Lieber (Coauthor: Vargas). An act to add Section 6402.5 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2546—Lowenthal. An act to amend Section 7054 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2547—Lowenthal. An act to amend Section 103900 of the Health and Safety Code, and to add Section 12803.5 to the Vehicle Code, relating to public health.

ASSEMBLY BILL NO. 2548—Shirley Horton. An act to amend Section 1520.5 of the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 2549—Pacheco. An act to add Section 3088.5 to the Civil Code, relating to works of improvement.

ASSEMBLY BILL NO. 2550—Steinberg. An act to amend Section 1779.4 of the Health and Safety Code, relating to continuing care contracts.

ASSEMBLY BILL NO. 2551—Calderon. An act relating to gambling control.

ASSEMBLY BILL NO. 2552—Leno. An act to amend Sections 4980.02, 4980.40, 4980.43, 4980.44, and 4987.7 of, to amend the heading of Chapter 13 (commencing with Section 4980) of Division 2 of, and to amend the heading of Article 6 (commencing with Section 4987.5) of Chapter 13 of Division 2 of, the Business and Professions Code, relating to marriage and family therapy.

ASSEMBLY BILL NO. 2553—Garcia. An act to amend Sections 290 and 647 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 2554—Pavley (Coauthor: Levine) (Coauthor: Senator Karnette). An act to amend Section 22461 of, to amend and repeal Section 24214 of, and to repeal Sections 24216, 24216.5, and 24216.6 of, the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 2555—Maddox. An act to amend Section 12022.53 of the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 2556—Maddox. An act to amend Section 25740 of the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 2557—Koretz. An act to amend Sections 1633, 1729.2, and 1749.1 of the Insurance Code, relating to insurance licensing.

ASSEMBLY BILL NO. 2558—Plescia (Coauthor: Wyland) (Coauthors: Senators Alpert, Ducheny, and Morrow). An act to amend Section 100 of the Revenue and Taxation Code, relating to local government finance.

ASSEMBLY BILL NO. 2559—Diaz. An act to amend Section 44279.2 of, to add Article 8.5 (commencing with Section 44600) to Chapter 3 of Part 25 of, and to repeal Sections 44505 and 44506 of, the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2560—Montanez. An act to amend Section 2836.1 of the Business and Professions Code, relating to nursing.

ASSEMBLY BILL NO. 2561—Strickland. An act to amend Section 270 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2562—Bogh. An act to amend Section 7583.9 of the Business and Professions Code, relating to private patrol operators.

ASSEMBLY BILL NO. 2563—Bogh. An act to amend Section 11550 of the Health and Safety Code, and to amend Sections 273a and 1192.7 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2564—Oropeza. An act to add Article 3.7 (commencing with Section 15347) to Division 3 of Title 2 of the Government Code, relating to economic development, and making an appropriation therefor.

ASSEMBLY BILL NO. 2565—Parra. An act to add Chapter 4 (commencing with Section 13998) to Part 4.7 of Division 3 of Title 2 of the Government Code, and to repeal Part 14 (commencing with Section 37980) of Division 24 of the Health and Safety Code, relating to economic development, and making an appropriation therefor.

ASSEMBLY BILL NO. 2566—Nakano. An act to amend Section 654.05 of the Harbors and Navigation, relating to boating.

ASSEMBLY BILL NO. 2567—Benoit. An act to add Section 17071.50 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2568—Yee. An act to add Section 1463.24 to the Penal Code, and to add Section 42012 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2569—Yee. An act to add Chapter 6.4 (commencing with Section 52060) to Part 28 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 2570—Dutton. An act to add Article 10 (commencing with Section 16350) to Chapter 6 of Part 10 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2571—Longville (Coauthor: Senator Burton). An act to add and repeal Chapter 10.5 (commencing with Section 4700) of Division 2 of the Business and Professions Code, relating to alcohol and drug abuse professionals.

ASSEMBLY BILL NO. 2572—Kehoe. An act to amend Section 521 of, and to add Section 523.5 to, the Water Code, relating to water.

ASSEMBLY BILL NO. 2573—Strickland. An act to amend Section 4501 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2574—Diaz. An act to add Section 66024.1 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2575—Haynes. An act to amend Section 3517.8 of the Government Code, relating to state employment relations.

ASSEMBLY BILL NO. 2576—Mountjoy. An act to add Section 1242 to the Government Code, relating to public agencies.

ASSEMBLY BILL NO. 2577—La Suer. An act to amend Section 2891 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 2578—La Suer. An act to amend Section 11350 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2579—La Suer. An act to amend Section 12715 of the Government Code, relating to gaming.

ASSEMBLY BILL NO. 2580—Goldberg. An act to amend Sections 297.5 and 299 of the Family Code, and to amend Section 14771 of the Government Code, relating to domestic partnerships.

ASSEMBLY BILL NO. 2581—Lieber. An act to amend Section 65863.7 of the Government Code, relating to mobilehome parks.

ASSEMBLY BILL NO. 2582—Lieber. An act to add Section 1940.7.6 to the Civil Code, relating to tenancy.

ASSEMBLY BILL NO. 2583—Lieber. An act to add Section 1950.5 to the Civil Code, relating to tenancy.

ASSEMBLY BILL NO. 2584—Levine. An act to amend Section 47605 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 2585—Parra. An act to add Section 40608 to the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2586—Houston. An act to add Section 4019.1 to the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 2587—Chan. An act to amend Section 108922 of the Health and Safety Code, relating to toxic substances.

ASSEMBLY BILL NO. 2588—Reyes. An act to amend Section 56.10 of the Civil Code, relating to confidentiality of medical information.

ASSEMBLY BILL NO. 2589—Calderon. An act to amend Section 9607 of the Public Utilities Code, relating to publicly owned utilities.

ASSEMBLY BILL NO. 2590—Campbell. An act relating to taxation.

ASSEMBLY BILL NO. 2591—Leno. An act to amend Sections 5353.5 and 5371.4 of the Public Utilities Code, relating to charter-party carriers.

ASSEMBLY BILL NO. 2592—Campbell. An act to amend Sections 401 and 722 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2593—Calderon. An act to amend Section 379.6 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2594—Leslie. An act to add Section 55.3 to the Civil Code, relating to public accommodations.

ASSEMBLY BILL NO. 2595—Strickland. An act to amend Section 22375 of the Business and Professions Code, relating to business.

ASSEMBLY BILL NO. 2596—Liu. An act to amend Section 51225.3 of the Education Code, relating to courses of study.

ASSEMBLY BILL NO. 2597—La Suer. An act to add Section 10859 to the Revenue and Taxation Code, relating to vehicle license fees, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2598—Steinberg. An act to amend Section 1365.1 of the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 2599—Calderon. An act to add Section 3177.5 to the Family Code, relating to mediation.

ASSEMBLY BILL NO. 2600—Laird. An act to add Division 23.3 (commencing with Section 33300) to the Public Resources Code, relating to the Sierra Nevada Conservancy, and making an appropriation therefor.

ASSEMBLY BILL NO. 2601—Calderon. An act to add Section 712 to the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2602—Calderon. An act relating to railroads.

ASSEMBLY BILL NO. 2603—Calderon. An act to amend Section 10620 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2604—Pacheco. An act to amend Sections 17200, 17204, and 17535 of, to add Section 17204.1 to, and to repeal and add Section 17208 of, the Business and Professions Code, relating to unfair competition.

ASSEMBLY BILL NO. 2605—Calderon. An act to amend Section 43530 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2606—Plescia. An act to amend Sections 4466 and 9270 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2607—Jackson. An act to add Section 11048 to the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2608—Wyland. An act to amend Section 52372 of the Education Code, relating to career technical education.

ASSEMBLY BILL NO. 2609—Garcia. An act to add Section 11792.5 to, and to repeal Article 3 (commencing with Section 11796) of Chapter 7.5 of Division 3 of Title 2 of, the Government Code, relating to state data centers, and making an appropriation therefor.

ASSEMBLY BILL NO. 2610—Strickland. An act to amend Section 1366 of the Civil Code and Section 7350 of the Corporations Code, relating associations.

ASSEMBLY BILL NO. 2611—Simitian. An act to amend Section 368 of the Penal Code, relating to crime.

ASSEMBLY BILL NO. 2612—Liu. An act relating to professional conservators.

ASSEMBLY BILL NO. 2613—Haynes. An act to amend Sections 1812.103, 1812.116, and 1812.121 of the Civil Code, relating to discount buying organizations.

ASSEMBLY BILL NO. 2614—Levine. An act to amend Sections 20111.5 and 20112 of, and to add Section 20111.6 to, the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2615—Committee on Higher Education (Liu (Chair), Jackson, Lowenthal, Matthews, Nakanishi, and Negrete McLeod). An act to repeal Section 66755 of the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2616—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2617—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2618—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2619—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2620—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2621—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2622—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2623—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2624—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2625—Keene. An act relating to the Budget Act of 2004.

ASSEMBLY BILL NO. 2626—Plescia. An act to amend Section 3502.1 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 2627—Steinberg. An act to repeal and add Section 346 of the Welfare and Institutions code, relating to juvenile court proceedings.

ASSEMBLY BILL NO. 2628—Pavley (Principal coauthor: Nakano). An act to amend Section 5205.5 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2629—Salinas. An act to add Section 1502.2 to the Health and Safety Code, relating to community care facilities.

ASSEMBLY BILL NO. 2630—Hancock. An act to amend Section 101850 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 2631—Wolk. An act to add Division 37 (commencing with Section 71500) to the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2632—Bogh. An act to add Section 129875.1 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 2633—Frommer. An act to add Section 13193.7 to the Water Code, relating to water.

ASSEMBLY BILL NO. 2634—Canciamilla. An act to amend Section 56375.5 of the Government Code, relating to local government organization.

ASSEMBLY BILL NO. 2635—Canciamilla. An act to amend Section 1363.5 of the Fish and Game Code, relating to oak woodlands conservation.

ASSEMBLY BILL NO. 2636—Strickland. An act to amend Section 80.2 of the Harbors and Navigation Code, relating to boating.

ASSEMBLY BILL NO. 2637—Diaz. An act to add Article 4 (commencing with Section 89570) to Chapter 5 of Part 55 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 2638—Cogdill. An act to add Section 6252.5 to the Government Code, and to add Section 18948.1 to the Health and Safety Code, relating to building standards.

ASSEMBLY BILL NO. 2639—Cox. An act to amend Section 12411 of the Insurance Code, relating to title insurance.

ASSEMBLY BILL NO. 2640—Cox. An act to amend Sections 647 and 647.7 of, and to add Section 647.8 to, the Penal Code, relating to disorderly conduct.

ASSEMBLY BILL NO. 2641—Cox. An act to amend Section 4753 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 2642—Canciamilla. An act to add Section 25312 to the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 2643—Canciamilla. An act to add Section 25314 to the Public Resources Code, relating to energy.

ASSEMBLY BILL NO. 2644—Oropeza. An act to add Chapter 8.8 (commencing with Section 44273) to Part 5 of Division 26 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2645—Mountjoy. An act to add Section 16521.6 to the Welfare and Institutions Code, relating to children in foster care.

ASSEMBLY BILL NO. 2646—Benoit. An act to add and repeal Sections 17053.60 and 23660 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2647—Chavez. An act to add Chapter 19 (commencing with Section 53100) to Part 28 of the Education Code, relating to education funding.

ASSEMBLY BILL NO. 2648—Jerome Horton. An act to add Section 8157 to the Education Code relating to apprenticeships.

ASSEMBLY BILL NO. 2649—Salinas. An act to amend Section 3352 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2650—Bates (Principal Senate coauthor: Ashburn). An act to amend Section 2699 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2651—McCarthy. An act to amend Section 5200 of the Business and Professions Code, relating to business.

ASSEMBLY BILL NO. 2652—Bates. An act to add Section 563 to the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 2653—Strickland. An act to amend Section 663.7 of the Harbors and Navigation Code, relating to vessels.

ASSEMBLY BILL NO. 2654—Nunez. An act to amend Section 32284 of the Education Code, relating to public schools.

ASSEMBLY BILL NO. 2655—Bates. An act to amend Section 12500.8 of the Business and Professions Code, relating to weights and measures.

ASSEMBLY BILL NO. 2656—Jackson. An act to add Section 1793.29 to the Civil Code, and to amend Section 1281 of the Code of Civil Procedure, relating to motor vehicles.

ASSEMBLY BILL NO. 2657—Nunez. An act to add and repeal Chapter 2 (commencing with Section 42100) of Part 3 of Division 30 of the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 2658—Keene. An act to amend Section 4555 of the Public Resources Code, relating to forest practices.

ASSEMBLY BILL NO. 2659—Keene. An act to amend Section 1303 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2660—Leno. An act to amend Sections 4040, 4052, 4060, 4061, and 4076 of the Business and Professions Code, and to amend Section 11150 of the Health and Safety Code, relating to pharmaceuticals.

ASSEMBLY BILL NO. 2661—Steinberg. An act to add Section 1506.7 to the Health and Safety Code, relating to foster care.

ASSEMBLY BILL NO. 2662—Jackson. An act to add Section 8251 to the Government Code, relating to discrimination.

ASSEMBLY BILL NO. 2663—Strickland. An act to amend Section 17073.20 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 2664—Maddox. An act to amend Section 44256 of the Education Code, relating to teacher credentialing.

ASSEMBLY BILL NO. 2665—Leslie. An act to amend Sections 71.4, 71.8, 76.3, 76.6, 85, and 85.2 of the Harbors and Navigation Code, relating to harbors and ports.

ASSEMBLY BILL NO. 2666—Maldonado. An act to amend Sections 5001.5, 5001.8, 5003.15, 5010, 5090.02, 5090.09, 5090.15, 5090.24, 5090.35, and 5090.53 of, and to amend the heading of Article 4 (commencing with Section 5090.40) of Chapter 1.25 of Division 3 of, to amend and renumber Section 5090.46 of, the Public Resources Code, to amend Section 8352.8 of the Revenue and Taxation Code, and to amend Sections 14601, 14601.1, 14601.2, 14601.3, 14601.4, 14601.5, 38020, 38370, and 40610 of, to amend and repeal Section 38241 of, to amend, repeal, and add Section 38240 of, and to add Sections 38346 and 38375 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2667—Haynes. An act to amend Section 18938 of the Welfare and Institutions Code, relating to human services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2668—Salinas. An act to amend Section 12878.6 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2669—Garcia (Principal coauthor: Steinberg) (Principal coauthor: Senator Escutia). An act to amend Section 695.221 of the Code of Civil Procedure, and to amend Sections 4009, 4055, 4504, and 17402 of the Family Code, relating to child support.

ASSEMBLY BILL NO. 2670—Benoit. An act to amend Section 1797.196 of the Health and Safety Code, relating to emergency medical services.

ASSEMBLY BILL NO. 2671—Pacheco. An act to amend Section 4406 of the Commercial Code, relating to commercial law.

ASSEMBLY BILL NO. 2672—Simitian. An act to amend Sections 72400, 72410, and 72440 of, and to add Section 72425 to, the Public Resources Code, relating to vessels.

ASSEMBLY BILL NO. 2673—Simitian. An act to add Chapter 3.5 (commencing with Section 8451) to Part 4 of Division 6 of the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2674—Leno. An act to amend Section 8700 of the Family Code, relating to adoption.

ASSEMBLY BILL NO. 2675—Goldberg. An act relating to public school finance.

ASSEMBLY BILL NO. 2676—Nakano. An act to amend Section 21661.5 of the Public Utilities Code, relating to airports.

ASSEMBLY BILL NO. 2677—Ridley-Thomas. An act to add Chapter 12 (commencing with Section 679.8) to Part 1 of Division 1 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 2678—Koretz (Coauthor: Senator Alpert). An act to add Section 66407 to the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2679—Wolk. An act to amend Section 14105.35 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2680—Negrete McLeod. An act to amend Section 3511 of the Government Code, relating to local public employees.

ASSEMBLY BILL NO. 2681—Negrete McLeod. An act to amend Section 2725 of the Business and Professions Code, relating to nursing.

ASSEMBLY BILL NO. 2682—Negrete McLeod. An act to amend Section 4161 of, and to add Sections 4160.1 and 4161.1 to, the Business and Professions Code, relating to pharmacy, and making an appropriation therefor.

ASSEMBLY BILL NO. 2683—Lieber. An act to amend Section 44011 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2684—Lieber. An act to amend Section 10174 of the Insurance Code, relating to health insurance.

ASSEMBLY BILL NO. 2685—Oropeza. An act to add Chapter 6.6 (commencing with Section 25560) to Division 15 of the Public Resources Code, relating to energy resources.

ASSEMBLY BILL NO. 2686—Jackson. An act to add Sections 49571 and 49591 to the Education Code, relating to schools.

ASSEMBLY BILL NO. 2687—Canciamilla. An act to amend Sections 58, 7601, 7602, 7603, 7620, 7622, 7660, 7661, and 7666 of the Probate Code, and Section 4986.6 of the Revenue and Tax Code, relating to public administrators.

ASSEMBLY BILL NO. 2688—Parra. An act to amend Section 25000 of the Corporations Code, relating to corporate securities.

ASSEMBLY BILL NO. 2689—Houston (Coauthor: Dutra). An act to add Section 6157.8 to the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 2690—Hancock. An act to add Section 5808.3 to the Public Resources Code, relating to watersheds.

ASSEMBLY BILL NO. 2691—Lieber and Correa (Principal coauthor: Vargas). An act to amend Sections 22443.1 and 22443.3 of the Business and Professions Code, relating to immigration consultants.

ASSEMBLY BILL NO. 2692—Dutton. An act to amend and renumber Section 1235 of, and to add Section 1243 to, the Government Code, relating to elected public officers.

ASSEMBLY BILL NO. 2693—Wiggins. An act to amend Section 22059 of the Financial Code, relating to finance lenders.

ASSEMBLY BILL NO. 2694—Bogh. An act to amend Section 13002 of the Health and Safety Code, and to amend Section 374.4 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 2695—Plescia. An act to add Section 224.5 to the Labor Code, related to employers.

ASSEMBLY BILL NO. 2696—Plescia. An act to add Section 3307 to the Unemployment Insurance Code, relating to disability compensation.

ASSEMBLY BILL NO. 2697—Salinas and Kehoe. An act to amend Section 1031 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2698—Goldberg. An act to add and repeal Article 2.2 (commencing with Section 51215) of Chapter 2 of Part 28 of the Education Code, relating to dual language education programs, and making an appropriation therefor.

ASSEMBLY BILL NO. 2699—McCarthy. An act to amend Section 11383 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 2700—Plescia. An act to add Section 12815 to the Government Code, relating to state agencies.

ASSEMBLY BILL NO. 2701—Runner. An act to amend Sections 13144 and 13152, and to repeal Section 12847.5 of, the Food and Agriculture Code, to amend Section 12812.2, and to repeal Section 12812.5 of, the Government Code, to amend Sections 25174, 25295, 25299.81, 25369, 39607.5, 39619.5, 40459, 41712, 41865, 43105.5, 44011, 44100, 44104.5, 57007, and 115910, and to repeal Sections 25178, 25244.11, 25395.32, 39604, 39702.5, 43032, 43101, and 59019 of, the Health and Safety Code, to amend Section 14315 of the Penal Code, to add Section 71045 to, to add Chapter 4 (commencing with Section 71069) to Part 2 of Division 34 of, and to repeal Sections 42889.1 and 42889.4 of, the Public Resources Code, to repeal Sections 7672, 7711 and 7712 of the Public Utilities Code, to amend Sections 13191, 13292, 13369, 13385, and 13399.39 of, and to repeal Sections 10782, 13192, and 13198 of, the Water Code, relating to environmental protection.

ASSEMBLY BILL NO. 2702—Steinberg. An act to amend Section 65583 of, to add Sections 65852.8 and 65917.1 to, and to repeal Section 65852.2 of, the Government Code, relating to housing.

ASSEMBLY BILL NO. 2703—Runner. An act to add Section 2257.1 to the Business and Professions Code, relating to medicine.

ASSEMBLY BILL NO. 2704—Berg. An act to amend Sections 1812.5095, 1812.524, and 1812.533 of the Civil Code, and to amend Section 687.2 of, and to add Section 687.4 to, the Unemployment Insurance Code, relating to employment.

ASSEMBLY BILL NO. 2705—Goldberg. An act to amend Section 487 of the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 2706—Berg. An act to amend Sections 51870, 51871.5, 51874, 52295.20, and 52295.30 of, and to repeal Sections 51871.3 and 51871.4 of, the Education Code, relating to education technology.

ASSEMBLY BILL NO. 2707—Cogdill. An act relating to state fees.

ASSEMBLY BILL NO. 2708—Reyes. An act to amend Section 1770 of the Labor Code, relating to prevailing wages.

ASSEMBLY BILL NO. 2709—Levine. An act to amend Section 4000.37 of, and to add Section 16058 to, the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2710—Liu. An act to add Sections 66024.5, 66024.6, 66024.7, and 66024.8 to, and to add the heading of Article 3.5 (commencing with Section 66024.5) to Chapter 2 of Part 40 of, the Education Code, relating to public postsecondary education.

ASSEMBLY BILL NO. 2711—Leno. An act to add Section 20589 to the Government Code, relating to public employees' retirement.

ASSEMBLY BILL NO. 2712—Pacheco. An act to add Section 14102 to the Welfare and Institutions Code, relating to health care services.

ASSEMBLY BILL NO. 2713—Pavley (Principal coauthor: Steinberg) (Coauthor: Koretz) (Coauthors: Senators Kuehl and Romero). An act to add Section 6068.1 to the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 2714—Spitzer. An act to amend Section 6252 of, and to repeal Article 3.5 (commencing with Section 9070) of Chapter 1.5 of Part 1 of Division 2 of Title 2 of, the Government Code, relating to the Legislature.

ASSEMBLY BILL NO. 2715—Reyes. An act to amend Section 13140 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2716—Lowenthal. An act to amend Section 14087.96 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2717—Laird. An act to add Section 65591.1 to the Government Code, relating to water conservation.

ASSEMBLY BILL NO. 2718—Laird. An act to amend Sections 1365, 1365.5, and 1368 of, and to add Section 1365.3 to, the Civil Code, relating to common interest developments.

ASSEMBLY BILL NO. 2719—Laird. An act to add Section 12237 to the Government Code, relating to State Archives.

ASSEMBLY BILL NO. 2720—Laird. An act to amend Section 129805 of the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 2721—Laird. An act to amend Section 97.1 of the Streets and Highways Code, and to add Section 42010 to the Vehicle Code, relating to highways.

ASSEMBLY BILL NO. 2722—Laird. An act to add Chapter 7 (commencing with Section 37030) to Division 28 of the Public Resources Code, and to add Section 19560 to the Revenue and Taxation Code, relating to conservation.

ASSEMBLY BILL NO. 2723—Laird. An act to amend Section 1793.2 of the Civil Code, relating to consumer warranties.

ASSEMBLY BILL NO. 2724—Laird. An act to amend Sections 69980, 69982, 69983, 69986, 69990, and 94110 of the Education Code, relating to postsecondary education, and making an appropriation therefor.

ASSEMBLY BILL NO. 2725—Laird. An act to amend Section 30322 of the Public Resources Code, relating to the California Coastal Commission.

ASSEMBLY BILL NO. 2726—Laird. An act to amend Section 65914 of the Government Code, relating to planning and zoning.

ASSEMBLY BILL NO. 2727—Laird. An act to add and repeal Section 41203.2 of the Education Code, relating to education finance.

ASSEMBLY BILL NO. 2728—Strickland. An act to add Chapter 5.5 (commencing with Section 47628) to Part 26.8 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 2729—Leno. An act to amend Section 68750 of the Government Code, relating to the Commission on Judicial Performance.

ASSEMBLY BILL NO. 2730—Dymally. An act to amend Section 1253.3 of the Unemployment Insurance Code, relating to unemployment compensation.

ASSEMBLY BILL NO. 2731—Dymally. An act relating to Medi-Cal.

ASSEMBLY BILL NO. 2732—Dymally. An act to add Section 118479 to the Health and Safety Code, relating to wiping rags.

ASSEMBLY BILL NO. 2733—Strickland. An act to amend Sections 4999, 5000, 5003, and 5004 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2734—Strickland. An act to amend Section 1007 of the Fox Canyon Groundwater Management Agency Act (Chapter 1023 of the Statutes of 1982), relating to the Fox Canyon Groundwater Management Agency, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2735—McCarthy. An act to amend Section 653v of, and to add Section 653aa to the Penal Code, relating to Internet piracy.

ASSEMBLY BILL NO. 2736—Chavez. An act to amend Sections 20282 and 20305 of, and to add Section 21029.5 to, the Government Code, relating to public employees' retirement, and making an appropriation therefor.

ASSEMBLY BILL NO. 2737—Dutra. An act to add Section 831.10 to the Government Code, relating to governmental tort liability.

ASSEMBLY BILL NO. 2738—Nation. An act relating to state electronic payment systems.

ASSEMBLY BILL NO. 2739—Parra. An act to amend Section 972.2 of the Military and Veterans Code, relating to veterans.

ASSEMBLY BILL NO. 2740—Bogh (Coauthors: Benoit and Haynes). An act to amend Section 627 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2741—Salinas. An act to amend Section 66503 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 2742—Mountjoy. An act to amend Section 2653 of the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 2743—Shirley Horton. An act to amend Section 8521.5 of the Government Code, relating to state agencies.

ASSEMBLY BILL NO. 2744—Goldberg. An act to amend Section 44251 of the Education Code, relating to school credentials.

ASSEMBLY BILL NO. 2745—Strickland. An act to add Section 9640 to the Food and Agricultural Code, relating to animal diseases.

ASSEMBLY BILL NO. 2746—Strickland. An act to amend Section 20133 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2747—Garcia. An act to amend Section 12300.1 of the Welfare and Institutions Code, relating to social services.

ASSEMBLY BILL NO. 2748—Oropeza. An act to amend Section 12241 of the Elections Code, relating to precincts.

ASSEMBLY BILL NO. 2749—Dutton. An act to amend Section 11164 of the Penal Code, and to amend Section 16206 of the Welfare and Institutions Code, relating to child protective services.

ASSEMBLY BILL NO. 2750—Steinberg. An act to add Section 273 to the Labor Code, relating to state employees, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2751—Yee. An act to amend Section 48931 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 2752—Chu. An act to add Sections 301.2 and 301.3 to the Corporations Code, relating to corporations.

ASSEMBLY BILL NO. 2753—Corbett. An act to amend Sections 22714, 22714.5, 24216, and 84040.5 of the Education Code, relating to state teachers' retirement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2754—Strickland. An act to amend Section 12804.9 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2755—Strickland. An act to add Section 7.3 to the Ventura County Watershed Protection Act (Chapter 44 of the Statutes of 1944, Fourth Extraordinary Session), relating to the Ventura County Watershed Protection District.

ASSEMBLY BILL NO. 2756—Daucher. An act to amend Sections 33127, 33128, 41320.1, 41326, 41326.1, 41327, 41328, 42127, 42127.1, 42127.8, and 42142 of, and to add Sections 41327.1 and 41327.2 to, the Education Code, and to amend Sections 3540.2, 3547.5, and 53260 of the Government Code, relating to school districts, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2757—Maddox. An act to amend Section 42238.1 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 2758—Berg. An act to amend Section 276.5 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 2759—Levine and Wiggins (Principal coauthor: Koretz) (Coauthors: Goldberg and Laird (Coauthor: Senator Soto). An act to add Section 1366.2 to the Health and Safety Code, and to add Section 10127.17 to the Insurance Code, relating to health care.

ASSEMBLY BILL NO. 2760—Berg. An act to amend Sections 1053, 1055, 1055.1, 1055.5, 1056, 1060, 7151, 7360, 7920, 8235, 8392, 8597, 13005, 15103, and 15104 of, and to add Sections 1055.4, 9027, 9027.5, and 9029.5 to, the Fish and Game Code, relating to fish and game, and making an appropriation therefor.

ASSEMBLY BILL NO. 2761—Leno. An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

ASSEMBLY BILL NO. 2762—Keene. An act to amend Sections 4526, 4590, and 4604 of, and to add Article 7.6 (commencing with Section 4596) and Article 7.8 (commencing with Section 4598) to Chapter 8 of Part 2 of Division 4 of, the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2763—Diaz (Coauthor: Liu). An act to add Section 113995.6 to, and to add Article 15 (commencing with Section 111224) to Chapter 5 of Part 5 of Division 104 of, the Health and Safety Code, relating to food labeling and safety.

ASSEMBLY BILL NO. 2764—Bates (Principal coauthor: Senator Alpert) (Coauthor: Senator Poochigian). An act to add Section 47605.4 to the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 2765—Bates. An act to amend Section 60900 of the Education Code, relating to pupils.

ASSEMBLY BILL NO. 2766—Richman. An act to amend Sections 17600, 17605.10, 17606.05, and 17606.20 of, to repeal Sections 17605.05, 17605.07, 17605.08, and 17606.15 of, and to repeal and add Section 17606.10 of, the Welfare and Institutions Code, relating to public social services, and making an appropriation therefor.

ASSEMBLY BILL NO. 2767—Richman and Canciamilla. An act to amend Section 80260 of the Water Code, relating to electricity.

ASSEMBLY BILL NO. 2768—Richman. An act to add Article 11 (commencing with Section 910) to Chapter 4 of Part 1 of Division 1 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 2769—Richman. An act to add Division 99 (commencing with Section 99000) to the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 2770—Richman and Nation. An act to amend Section 5307.27 of, and to add Sections 139.7, 139.71, and 139.72 to, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2771—Richman and Nation. An act to amend Section 3201.5 of, to add Section 3821 to, to repeal Sections 3201.7 and 5814.5 of, and to repeal and add Section 5814 of, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2772—Richman. An act to amend Sections 4656, 5307.1, and 5307.27 of, and to add Sections 139.7, 139.71, 139.72, 4062.7, 4600.37, and 5705.1 to, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2773—Richman. An act to add Section 21434 to the Government Code, and to add Section 4664 to the Labor Code, relating to retirement.

ASSEMBLY BILL NO. 2774—Richman. An act to add Sections 4474.2, 4474.3, 4474.35, 4474.4, 4474.5, 4474.6, 4474.7, 4474.8, and 4630.5 to the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 2775—Richman. An act to amend Section 4620.2 of, and to add Sections 4429.5 and 4431.5 to, the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 2776—Bates. An act to amend Section 64201 of the Education Code, relating to education.

ASSEMBLY BILL NO. 2777—Lieber. An act to amend Section 11840 of the Government Code, relating to health care audits.

ASSEMBLY BILL NO. 2778—Maze. An act to amend Section 87482.6 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 2779—Maze. An act to amend Section 56375.3 of the Government Code, relating to local agency reorganization.

ASSEMBLY BILL NO. 2780—Maze and Bogh. An act to amend Section 3700 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2781—Benoit. An act to amend Section 47602 of the Education Code, relating to charter schools.

ASSEMBLY BILL NO. 2782—Benoit. An act to add Section 54957.11 to the Government Code, relating to public agencies.

ASSEMBLY BILL NO. 2783—Berg. An act to add Section 1367.216 to the Health and Safety Code, and to add Section 10123.197 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 2784—Pavley, Strickland, and Jackson. An act to amend Sections 130054.1 and 130054.8 of the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2785—Nakano. An act to add Section 23125 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2786—Berg. An act to amend Section 1747 of the Health and Safety Code, relating to hospices.

ASSEMBLY BILL NO. 2787—Leslie. An act to add Chapter 22.2 (commencing with Section 22580) to Division 8 of the Business and Professions Code, relating to privacy.

ASSEMBLY BILL NO. 2788—Leslie. An act to amend Sections 20001 and 40000.13 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2789—Leslie. An act to amend Section 12104 of the Financial Code, relating to proraters.

ASSEMBLY BILL NO. 2790—Pacheco. An act to amend Sections 4004, 9283, 9285, 9286, 10221, 10226, 10262, 10263, 10403.5, 12111, 13113, 17100, and 17304 of the Elections Code, and to amend Section 36801 of the Government Code, relating to elections.

ASSEMBLY BILL NO. 2791—Berg. An act to amend Section 14132 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2792—Oropeza. An act to add and repeal Section 17052.3 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2793—Nakanishi. An act to add Section 2906 to the Business and Professions Code, relating to psychiatrists.

ASSEMBLY BILL NO. 2794—McCarthy (Coauthor: Senator Florez). An act to add Sections 17053.62, 17255.5, 23662, and 24356.5 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2795—Wolk. An act to amend Sections 16501.1 and 16506 of the Welfare and Institutions Code, relating to child welfare services.

ASSEMBLY BILL NO. 2796—Mountjoy. An act to add Section 5002.5 to the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 2797—Leslie. An act to amend Section 22770 of the Business and Professions Code, relating to business.

ASSEMBLY BILL NO. 2798—Leslie. An act to amend Section 120140 of the Health and Safety Code, relating to health.

ASSEMBLY BILL NO. 2799—Calderon. An act to amend Section 2890 of the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 2800—Mountjoy. An act to amend and renumber Sections 66400, 66401, 66402, 66403, 66404, and 66405 of, to add Article 14 (commencing with Section 32440) to Chapter 3 of Part 19 of, and to repeal the heading of Chapter 6 (commencing with Section 66400) of Part 40 of, the Education Code, relating to academic materials.

ASSEMBLY BILL NO. 2801—Jerome Horton. An act to amend Sections 17053.7 and 23621 of the Revenue and Taxation Code, and to add and repeal Section 328 of the Unemployment Insurance Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2802—Jerome Horton. An act to add Section 6458 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2803—Jerome Horton. An act to add Sections 309.4 to the Public Utilities Code, relating to the Public Utilities Commission.

ASSEMBLY BILL NO. 2804—Calderon. An act to add Section 2782.3 to the Civil Code, and to add Section 11580.03 to the Insurance Code, relating to construction defects.

ASSEMBLY BILL NO. 2805—Ridley-Thomas. An act relating to insurance investments.

ASSEMBLY BILL NO. 2806—Wyland. An act to amend Section 3252 of the Civil Code, relating to payment bonds.

ASSEMBLY BILL NO. 2807—Steinberg. An act to amend Sections 366, 366.1, 366.21, 366.22, 366.26, 366.3, 391, 10609.4, 16206, and 16501.1 of the Welfare and Institutions Code, relating to children.

ASSEMBLY BILL NO. 2808—Canciamilla. An act to amend Section 65041 of the Government Code, relating to state planning.

ASSEMBLY BILL NO. 2809—Canciamilla. An act to amend Section 40724.6 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2810—Canciamilla. An act to amend Section 4612 of the Public Resources Code, relating to forest resources.

ASSEMBLY BILL NO. 2811—Runner. An act to amend Sections 7100 and 7105 of the Health and Safety Code, relating to human remains.

ASSEMBLY BILL NO. 2812—Dutra. An act to add Chapter 6 (commencing with Section 945.6) to Title 7 of Part 2 of Division 2 of the Civil Code, relating to construction defects.

ASSEMBLY BILL NO. 2813—Nunez. An act relating to taxation.

ASSEMBLY BILL NO. 2814—Simitian. An act to add Sections 21080.15 and 21084.5 to the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2815—Hancock. An act to amend Section 3054 of the Penal Code, relating to prisoners.

ASSEMBLY BILL NO. 2816—Daucher. An act to amend Section 1569.698 of the Health and Safety Code, relating to residential care facilities for the elderly.

ASSEMBLY BILL NO. 2817—Salinas. An act to amend Sections 29532.4 and 66502 of the Government Code, and to amend Sections 130004 and 130050 of, and to add Section 130006 to, the Public Utilities Code, relating to transportation.

ASSEMBLY BILL NO. 2818—Pacheco. An act to amend Section 84308 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 2819—Nation. An act to add Section 735 to the Evidence Code, relating to expert witnesses.

ASSEMBLY BILL NO. 2820—Daucher. An act to amend Sections 1570.7, 1572, 1579, 1588.5, 1588.7, 1589, and 1591 of the Health and Safety Code, and to amend Sections 14526 and 14573 of the Welfare and Institutions Code, relating to adult day health care.

ASSEMBLY BILL NO. 2821—Daucher. An act relating to public care.

ASSEMBLY BILL NO. 2822—Daucher. An act to amend Sections 12300, 14139.05, 14139.1, 14139.11, 14139.13, 14139.2, 14139.21, 14139.23, 14139.24, 14139.25, 14139.3, 14139.31, 14139.33, 14139.34, 14139.38, 14139.4, 14139.41, 14139.43, 14139.44, 14139.5, 14139.53, 14139.6, 14139.62, 14145, and 14145.1 of, to amend the headings of Article 4.3 (commencing with Section 14139.05) of, and Article 4.5 (commencing with Section 14145) of, Chapter 7 of Part 3 of Division 9 of, to add Sections 14139.30, 14139.63, and 14145.11 to, to add Article 4.31 (commencing with Section 14139.80) to Chapter 7 of Part 3 of Division 9 of, to repeal Sections 14139.12, 14139.35, 14139.36, and 14139.51 of, and to repeal and add Sections 14139.32, 14139.37, and 14139.42 of, the Welfare and Institutions Code, relating to long-term care.

ASSEMBLY BILL NO. 2823—Benoit. An act to add Section 101.12 to the Streets and Highways Code, relating to highways.

ASSEMBLY BILL NO. 2824—Runner (Principal coauthor: Senator Poochigian). An act to amend Sections 42238, 42238.15, 44944, 47635, 48431.6, 48431.7, 52247, 52903, 58562, 60424, 62002, 62002.5, and 99242 of, to amend and repeal Section 47634 of, to amend, repeal, and add Sections 42103 and 47633 of, to add Sections 411, 18185, 39821, 41858, 42102, 42246, 42246.3, 42246.5, 42247, 42247.3, 42247.5, 42247.7, 42248, 42248.5, 42249, 42270, 44279.8, 44509, 44579.6, 52052.7, 52187, 52923, 54206, 54735, and 58807 to, to add Chapter 3 (commencing with Section 63200) to Part 35 of, and to repeal Section 58561 of, the Education Code, relating to education finance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2825—Firebaugh. An act to amend Section 84750 of the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 2826—Canciamilla. An act to add Section 40055.5 to the Public Resources Code, relating to solid waste.

ASSEMBLY BILL NO. 2827—Daucher. An act to amend Section 42810 of the Education Code, relating to school finance.

ASSEMBLY BILL NO. 2828—Wesson and Cohn (Coauthor: Koretz). An act to amend Sections 12025, 12026.2, 12027, 12050, and 12807 of the Penal Code, relating to firearms.

ASSEMBLY BILL NO. 2829—Bogh. An act to amend Section 782 of the Evidence Code, relating to rape.

ASSEMBLY BILL NO. 2830—McCarthy. An act to amend Sections 3237 and 3258 of the Public Resources Code, relating to natural resources.

ASSEMBLY BILL NO. 2831—Canciamilla. An act to amend Section 311.4 of the Public Utilities Code, relating to the Public Utilities Commission.

ASSEMBLY BILL NO. 2832—Lieber (Coauthor: Senator Burton). An act to add Section 1182.12 to the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2833—Plescia. An act to add Section 66744 to the Education Code, relating to public postsecondary education, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2834—Canciamilla. An act to add Section 13557 to the Water Code, relating to water.

ASSEMBLY BILL NO. 2835—Plescia (Coauthor: Senator Morrow). An act to add Article 15 (commencing with Section 870) to Chapter 1 of Division 2 of the Business and Professions Code, relating to health care.

ASSEMBLY BILL NO. 2836—Maddox. An act to add Section 50093.3 to the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 2837—Firebaugh. An act to amend Section 8152 of the Education Code, relating to apprenticeships.

ASSEMBLY BILL NO. 2838—Salinas. An act to amend Section 50650.3 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

ASSEMBLY BILL NO. 2839—Daucher (Principal coauthor: Senator Figueroa). An act to amend Section 2786 of the Business and Professions Code, relating to healing arts.

ASSEMBLY BILL NO. 2840—Corbett. An act to amend Section 1936 of the Civil Code, relating to vehicle rental agreements.

ASSEMBLY BILL NO. 2841—Salinas and Mullin. An act to amend Sections 5019, 35555, 35566, 35709, 35710, 35710.5, 35721, 35722, 35753, and 35765 of, and to add Sections 35517 and 35710.1 to, the Education Code, and to amend Sections 54901 and 54902 of, and to repeal Section 54903.1 of, the Government Code, relating to school districts.

ASSEMBLY BILL NO. 2842—Leno. An act to amend Section 85307 of, and to add Sections 85303.3, 85303.4, and 85303.5 to, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2843—Levine. An act relating to voting systems.

ASSEMBLY BILL NO. 2844—La Suer. An act to amend Section 27801 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2845—La Suer. An act to add Section 56525 to the Education Code, relating to special education.

ASSEMBLY BILL NO. 2846—Salinas. An act to add Section 402.95 to the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2847—Oropeza. An act to add Division 19 (commencing with Section 40000) to the Streets and Highways Code, relating to motor vehicle fuel.

ASSEMBLY BILL NO. 2848—Keene. An act to amend Sections 285, 286, 296, 331.1, 331.2, 426, 672, 11701, 11704.5, 11710, and 11723 of the Vehicle Code, relating to all-terrain vehicles.

ASSEMBLY BILL NO. 2849—Lowenthal. An act to amend Section 66602 of the Education Code, relating to the California State University.

ASSEMBLY BILL NO. 2850—Ridley-Thomas. An act to add Chapter 4.7 (commencing with Section 1080) to Part 3 of Division 2 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 2851—Laird (Principal coauthors: Chavez, Daucher, Hancock, La Malfa, Longville, Maze, Montanez, and Salinas). An act to amend Section 17581.5 of the Government Code, and to amend Items 0890-295-0001, 4440-295-0001, and 6110-295-0001 of, and to repeal Item 3480-295-0001 of, Section 2.00 of Chapter 157 of the Statutes of 2003, relating to local mandate reimbursement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2852—Laird (Principal coauthors: Chavez, Daucher, Hancock, La Malfa, Longville, Maze, Montanez, and Salinas). An act to amend Section 23025 of the Government Code, to amend Section 1797.193 of the Health and Safety Code, to amend Sections 1203, 13515, 13518, 13518.1, 13519.7, and 13730 of the Penal Code, to amend Section 21401 of the Vehicle Code, and to amend Section 656.2 of the Welfare and Institutions Code, relating to public safety, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2853—Laird (Principal coauthors: Chavez, Daucher, Hancock, La Malfa, Longville, Maze, Montanez, and Salinas). An act to amend Sections 27131, 27297.5, 50087, 53646, and 71380 of the Government Code, to amend Sections 1454, 1471, 1827, and 1850 of the Probate Code, and to amend Section 63.1 of the Revenue and Taxation Code, relating to local government expenses, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2854—Nunez and Laird. An act to amend Sections 10404.5 and 10405.7 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2855—Nunez and Laird. An act to amend Section 48262 of the Education Code, relating to truancy.

ASSEMBLY BILL NO. 2856—Nunez and Laird. An act to amend Section 17551 of the Government Code, relating to state mandates.

ASSEMBLY BILL NO. 2857—Nunez and Laird. An act to amend Section 1603 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2858—Ridley-Thomas. An act to add Chapter 2.8 (commencing with Section 12330) to Title 2 of Part 4 of the Penal Code, relating to the Firearm Victims' Reimbursement Fund.

ASSEMBLY BILL NO. 2859—Dutton (Coauthors: Kehoe, Mountjoy, Mullin, and Parra). An act to add Section 932 to the Unemployment Insurance Code, relating to unemployment insurance, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2860—Pavley. An act relating to pupils.

ASSEMBLY BILL NO. 2861—Koretz. An act to amend Sections 4017.1 and 5071 of the Penal Code, relating to sentenced persons.

ASSEMBLY BILL NO. 2862—Mountjoy. An act to amend Section 830 of the Penal Code, relating to peace officers.

ASSEMBLY BILL NO. 2863—Pavley (Coauthor: Lieber). An act to add Article 10.3 (commencing with Section 17077.20) to Chapter 12.5 of Part 10 of the Education Code, and to add Part 12 (commencing with Section 9200) to Division 5 of the Labor Code, relating to school facilities.

ASSEMBLY BILL NO. 2864—Canciamilla. An act to amend Section 1525 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2865—Bogh. An act to amend Sections 2704.13 and 2704.16 of the Streets and Highways Code, and to amend Sections 1, 3, and 4 of Chapter 697 of the Statutes of 2002, relating to transportation, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2866—Nunez. An act to amend Section 11760 of the Insurance Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2867—Nunez. An act to amend Section 1940.1 of the Civil Code, relating to tenancy.

ASSEMBLY BILL NO. 2868—Nunez. An act to add Division 24 (commencing with Section 70000) to the Financial Code, relating to loans.

ASSEMBLY BILL NO. 2869—Levine. An act to amend Section 9601 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2870—Salinas (Coauthor: Mullin). An act to amend Section 12903 of the Government Code, relating to employment.

ASSEMBLY BILL NO. 2871—Berg (Principal coauthor: Senator Vasconcellos) (Coauthors: Calderon, Goldberg, Hancock, Kehoe, Koretz, Laird, Leno, Levine, Lieber, Oropeza, Ridley-Thomas, Salinas, and Wiggins) (Coauthors: Senators Chesbro, Kuehl, and Romero). An act to amend Section 11364.7 of, and to add Chapter 18 (commencing with Section 121349) to Part 4 of Division 105 of, the Health and Safety Code, relating to clean needle and syringe exchange projects.

ASSEMBLY BILL NO. 2872—Maddox. An act to amend Section 17204 of the Probate Code, relating to trusts.

ASSEMBLY BILL NO. 2873—Garcia. An act to add Article 6 (commencing with Section 18973) to Chapter 11 of Part 6 of Division 9 of the Welfare and Institutions Code, relating to child abuse prevention.

ASSEMBLY BILL NO. 2874—Diaz. An act to amend Sections 475 and 1300 of the Health and Safety Code, relating to public health.

ASSEMBLY BILL NO. 2875—Benoit. An act to amend Section 2005 of the Fish and Game Code, relating to game.

ASSEMBLY BILL NO. 2876—Calderon. An act to amend Section 1373.96 of the Health and Safety Code, and to amend Section 10133.56 of the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 2877—Aghazarian. An act to amend Section 25150.6 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 2878—Aghazarian. An act to amend Section 25511 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 2879—Pacheco. An act to amend Section 2807 of the Penal Code, relating to the Prison Industry Authority.

ASSEMBLY BILL NO. 2880—Pavley. An act to amend Sections 41081 and 44225 of the Health and Safety Code, and to amend Section 9250.2 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2881—Aghazarian. An act to amend Section 1202 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2882—Cox and Leslie. An act to add Chapter 5 (commencing with Section 50250) to Part 1 of Division 31 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 2883—Calderon. An act to amend Section 5 of the Santa Clara Valley Water District Act (Chapter 1405 of the Statutes of 1951), relating to the Santa Clara Valley Water District.

ASSEMBLY BILL NO. 2884—Calderon. An act to amend Section 13305 of the Water Code, relating to water.

ASSEMBLY BILL NO. 2885—Jerome Horton. An act to amend Section 35294.95 of the Education Code, relating to school safety.

ASSEMBLY BILL NO. 2886—Corbett. An act to add and repeal Article 14.5 (commencing with Section 18856) of Chapter 3 of Part 10.2 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2887—Oropeza. An act to add Section 12021.2 to the Government Code, relating to the Governor.

ASSEMBLY BILL NO. 2888—Strickland. An act to amend Section 85302 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 2889—Laird. An act to amend Section 12940 of the Government Code, relating to unlawful employment practices.

ASSEMBLY BILL NO. 2890—Jerome Horton. An act to amend Section 5307.1 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2891—Frommer. An act relating to employment.

ASSEMBLY BILL NO. 2892—Chavez. An act relating to software.

ASSEMBLY BILL NO. 2893—Chavez. An act to amend Section 3301 of the Government Code, relating to public safety officers.

ASSEMBLY BILL NO. 2894—Wiggins. An act to add Section 31874.6 to the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 2895—Goldberg. An act to amend Section 3415 of the Penal Code, relating to prisons.

ASSEMBLY BILL NO. 2896—Bogh. An act to amend Section 23038 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2897—Bogh. An act to amend Sections 7500, 7502, 7503, 7510, 7511, and 7515 of, and to repeal Section 7555 of the Penal Code, relating to prisoners, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2898—Strickland. An act to amend Section 11006 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2899—Shirley Horton. An act to add Article 6.5 (commencing with Section 13453) to Chapter 14 of Division 5 of the Business and Professions Code, relating to biodiesel.

ASSEMBLY BILL NO. 2900—Laird. An act relating to employment discrimination.

ASSEMBLY BILL NO. 2901—Pavley (Coauthor: Kehoe). An act to add Article 10.4 (commencing with Section 25214.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, and to add Chapter 8.6 (commencing with Section 42490) to Part 3 of Division 30 of the Public Resources Code, relating to hazardous and solid waste.

ASSEMBLY BILL NO. 2902—Hancock. An act to add Section 21081.8 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 2903—Campbell. An act to amend Section 20677.4, 20681, 20683, 20686, 20687, 20687.2, 20694, 21070.5, 21073.7, 21354.1, 21362, 21362.2, 21363, 21363.1, 21363.4, 21363.8, 21369, and 21369.1 of, and to add Section 21071.5 to, the Government Code, relating to state employees' retirement, making an appropriation therefor, and declaring the urgency thereof to take effect immediately.

ASSEMBLY BILL NO. 2904—Benoit. An act to amend Section 116.5 of the Insurance Code, relating to auto insurance.

ASSEMBLY BILL NO. 2905—Spitzer. An act to amend Section 646.91 of the Penal Code, relating to emergency protective orders.

ASSEMBLY BILL NO. 2906—Nation. An act to amend Section 42843 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2907—Reyes. An act to amend Section 1367.03 of the Health and Safety Code, relating to health care.

ASSEMBLY BILL NO. 2908—Wolk. An act to amend Section 66503 of the Government Code, relating to transportation.

ASSEMBLY BILL NO. 2909—Salinas. An act to amend Section 95020 of the Government Code, relating to early intervention services.

ASSEMBLY BILL NO. 2910—Pacheco. An act to add Chapter 1.9 (commencing with Section 21990) to Division 2 of Part 3 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2911—Bogh. An act to repeal and add Section 701.5 to the Public Resources Code, relating to the Department of Forestry and Fire Protection.

ASSEMBLY BILL NO. 2912—Goldberg. An act to add Chapter 16 (commencing with Section 8900) to Division 3 of the Business and Profession Code, relating to interpreters and transliterators.

ASSEMBLY BILL NO. 2913—Salinas. An act to amend Section 44253.10 of the Education Code, relating to teaching credentials.

ASSEMBLY BILL NO. 2914—Bogh. An act to amend Section 3003 of the Penal Code, relating to parole.

ASSEMBLY BILL NO. 2915—Firebaugh. An act to amend Section 6350 of the Penal Code, relating to endangered species.

ASSEMBLY BILL NO. 2916—Chavez. An act to amend Section 35221 of the Food and Agricultural Code, relating to milk products.

ASSEMBLY BILL NO. 2917—Pavley. An act to amend Section 18600 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2918—Laird. An act to add Section 366.3 to the Public Utilities Code, and to amend Section 12948.1 of the Water Code, relating to desalination facilities.

ASSEMBLY BILL NO. 2919—Ridley-Thomas. An act to add Chapter 32 (commencing with Section 22948) to Division 8 of the Business and Professions Code, and to add Section 12121 to the Public Contract Code, relating to telemarketing.

ASSEMBLY BILL NO. 2920—Laird. An act to amend and repeal Section 6723 of the Food and Agricultural Code, relating to nursery stock, and making an appropriation therefor.

ASSEMBLY BILL NO. 2921—Cox. An act to amend Section 31125 of, and to add Sections 31109 and 31109.1 to, the Corporations Code, and to add Section 22063 to the Financial Code, relating to franchises.

ASSEMBLY BILL NO. 2922—Laird. An act to add Section 21081.8 to the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 2923—Liu. An act to add Section 66901.5 to, to add Chapter 11.1 (commencing with Section 66910) to Part 40 of, and to repeal Sections 66903, 66904, and 67002 of, the Education Code, relating to postsecondary education.

ASSEMBLY BILL NO. 2924—Wiggins. An act to add Chapter 8 (commencing with Section 2830) to Part 2 of Division 1 of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 2925—Ridley-Thomas (Coauthor: Steinberg) (Coauthor: Senator Murray). An act to add Section 3340 to the Food and Agricultural Code, relating to the California Exposition and State Fair.

ASSEMBLY BILL NO. 2926—Nakano. An act to amend Sections 17053.34, 17053.46, 17053.74, 23622.7, 23634, and 23646 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2927—Wiggins. An act to amend Sections 24045.2, 24045.3, 24045.4, 24045.6, 24045.9, and 24045.15 of the Business and Professions Code, relating to alcoholic beverages, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2928—Maldonado. An act relating to state government, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2929—Chavez. An act to add Sections 19826.7 and 19826.9 to the Government Code, relating to state employees.

ASSEMBLY BILL NO. 2930—Koretz. An act to amend Section 3303 of the Government Code, relating to public safety officers.

ASSEMBLY BILL NO. 2931—Koretz. An act to add Section 81001.5 to the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 2932—Harman. An act relating to commercial law.

ASSEMBLY BILL NO. 2933—Richman. An act relating to public social services.

ASSEMBLY BILL NO. 2934—Benoit. An act to amend Section 6502 of the Government Code, relating to public agencies.

ASSEMBLY BILL NO. 2935—Longville. An act to amend Section 1786.50 of the Civil Code, relating to investigative consumer reports.

ASSEMBLY BILL NO. 2936—Longville. An act to amend Section 84606 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 2937—Nation. An act to add Section 14015.5 to the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 2938—Plescia. An act to amend, repeal, and add Section 8880.4 of the Government Code, relating to the California State Lottery, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2939—Diaz. An act relating to the State Air Resources Board.

ASSEMBLY BILL NO. 2940—Salinas. An act to amend Section 1941.2 of the Civil Code, relating to landlord-tenant.

ASSEMBLY BILL NO. 2941—Bates. An act to amend Sections 3017 and 3018 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 2942—Reyes. An act to amend and repeal Section 37252.1, of the Education Code, relating to pupil instruction, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2943—Pavley. An act to act to add Article 10.4.1 (commencing with Section 25214.50) to Chapter 6.5 of Division 20 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 2944—Samuelian. An act to add Section 51221.2 to the Education Code, relating to curriculum.

ASSEMBLY BILL NO. 2945—Calderon. An act to amend Section 19441.2 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 2946—Goldberg. An act to add Section 4027.5 to the Penal Code, relating to inmates.

ASSEMBLY BILL NO. 2947—Pacheco. An act to repeal Section 18226 of the Welfare and Institutions Code, relating to youth services, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2948—Salinas. An act to amend Section 44777.2 of the Education Code, relating to teachers.

ASSEMBLY BILL NO. 2949—Hancock (Principal coauthors: Mullin and Steinberg) (Coauthors: Chan, Goldberg, Jackson, Laird, Leno, and Lowenthal) (Coauthors: Senator Cedillo). An act to amend Section 82015 of, to add Chapter 12 (commencing with Section 91015) to Title 9 of, to repeal Sections 83124, 85202, 85203, 85204.5, 85205, 85206, 85300, 85301, 85302, 85303, 85304, 85305, 85306, 85311, 85312, 85314, 85315, 85316, 85317, 85318, 85321, and 85802 of, and to repeal Article 1 (commencing with Section 85100) of, Article 4 (commencing with Section 85400) of, Article 5 (commencing with Section 85500) of, Article 6 (commencing with Section 85600) of, the first Chapter 5 of Title 9 of, the Government Code, relating to the Political Reform Act of 1974, and calling a special election to be consolidated with the statewide direct general election of November 2, 2004, to take effect immediately as an act calling an election.

ASSEMBLY BILL NO. 2950—Goldberg. An act relating to school facilities.

ASSEMBLY BILL NO. 2951—Canciamilla. An act to relating to water.

ASSEMBLY BILL NO. 2952—Mountjoy (Coauthors: Dutton, Harman, La Malfa, and Runner) (Coauthors: Senators Knight and Morrow). An act to add Section 17132.4 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2953—Canciamilla. An act to amend Section 44281 of the Health and Safety Code, relating to air pollution.

ASSEMBLY BILL NO. 2954—Canciamilla. An act to amend Section 454.3 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 2955—McCarthy. An act to add Section 25290.3 to the Health and Safety Code, relating to underground storage tanks.

ASSEMBLY BILL NO. 2956—Wiggins. An act to amend Section 31453 of the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 2957—McCarthy. An act to amend Section 4000 of the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 2958—Canciamilla. An act to add Section 19201.5 to the Revenue and Taxation Code, relating to taxation, and making an appropriation therefor.

ASSEMBLY BILL NO. 2959—Bates. An act relating to state government.

ASSEMBLY BILL NO. 2960—Wiggins. An act relating to health care.

ASSEMBLY BILL NO. 2961—Benoit. An act to amend Sections 2800.2 and 2800.3 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2962—Pavley. An act to amend Section 2051 of the Insurance Code, relating to fire insurance.

ASSEMBLY BILL NO. 2963—Harman. An act to add Section 1276.45 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 2964—McCarthy. An act to amend Section 4400 of the Welfare and Institutions Code, relating to developmental services.

ASSEMBLY BILL NO. 2965—Samuelian. An act to amend Section 770.3 of the Insurance Code, relating to life and disability insurance.

ASSEMBLY BILL NO. 2966—McCarthy. An act to amend Section 19001 of the Welfare and Institutions Code, relating to rehabilitation services.

ASSEMBLY BILL NO. 2967—La Malfa. An act to amend Section 25534 of the Public Resources Code, and to repeal Division 1.5 (commencing with Section 3300) of the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 2968—McCarthy. An act relating to care facilities.

ASSEMBLY BILL NO. 2969—La Malfa. An act to amend Section 25143.13 of the Health and Safety Code, relating to hazardous waste.

ASSEMBLY BILL NO. 2970—Pavley. An act to amend Section 37202 of, and to add Sections 42238.25, 42238.26, 48003, 48004, 48005, and 48012 to, the Education Code, relating to kindergarten, and making an appropriation therefor.

ASSEMBLY BILL NO. 2971—McCarthy. An act to amend Section 3762 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2972—La Malfa. An act to amend Section 13995.74 of the Government Code, relating to tourism.

ASSEMBLY BILL NO. 2973—Pacheco. An act to amend Section 1346.4 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 2974—McCarthy. An act to amend Section 4658.5 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 2975—McCarthy. An act to amend Section 201 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2976—McCarthy. An act to amend Section 6001 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2977—McCarthy. An act to amend Section 155.20 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2978—McCarthy. An act to amend Section 17008 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 2979—McCarthy. An act to amend Section 6002 of the Revenue and Taxation Code, relating to sales and use taxes.

ASSEMBLY BILL NO. 2980—Salinas (Coauthors: Dutton, Laird, Longville, Vargas, and Wiggins) (Coauthors: Senators Denham, Florez, McPherson, and Soto). An act to add Section 65585.3 to, and to repeal, add, and repeal Section 65585.2 of, the Government Code, relating to housing.

ASSEMBLY BILL NO. 2981—McCarthy. An act to amend Sections 17250, 17255, 24349, and 24356 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2982—Pacheco. An act to amend Section 31725.6 of the Government Code, relating to county employees' retirement, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 2983—McCarthy. An act relating to air pollution.

ASSEMBLY BILL NO. 2984

(NOTE: The above number was processed at the Desk but not allowed introduction under Assembly Rule 49.)

ASSEMBLY BILL NO. 2985—McCarthy. An act to amend Section 2120.1 of the Labor Code, relating to health care coverage.

ASSEMBLY BILL NO. 2986—Benoit. An act to amend Section 1534 of, and to add Section 1534.5 to, the Penal Code, relating to search warrants.

ASSEMBLY BILL NO. 2987

(NOTE: The above number was processed at the Desk but not allowed introduction under Assembly Rule 49.)

ASSEMBLY BILL NO. 2988—Chavez. An act to amend Section 123285 of the Health and Safety Code, relating to maternal and child health.

ASSEMBLY BILL NO. 2989—Hancock. An act to amend Section 11454 of the Welfare and Institutions Code, relating to public social services.

ASSEMBLY BILL NO. 2990—McCarthy. An act to add Section 1374.17 to the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 2991—Runner. An act to add Section 6377 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 2992—McCarthy (Principal coauthor: Benoit) (Coauthor: Senator Morrow). An act to repeal Sections 45103.1, 45103.5, 88003.1, and 88004.5 of the Education Code, relating to public education.

ASSEMBLY BILL NO. 2993—McCarthy. An act to amend Section 60601 of the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 2994—Frommer. An act to amend Section 10115.5 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 2995—McCarthy. An act to amend Section 15100 of the Education Code, relating to school bonds.

ASSEMBLY BILL NO. 2996—Richman. An act to amend Section 1367 of the Health and Safety Code, relating to health care service plans.

ASSEMBLY BILL NO. 2997—Firebaugh. An act to add Section 23122 to the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 2998—Houston. An act to amend Section 188.8 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 2999—Lieber. An act to add Section 1367.16 to the Health and Safety Code, and to add Section 10125.2 to the Insurance Code, relating to health care coverage.

ASSEMBLY BILL NO. 3000—Mountjoy and Runner (Coauthors: La Malfa and Leslie) (Coauthors: Senators Denham and Morrow). An act to amend Sections 1012 and 1012.2 of the Military and Veterans Code, relating to veterans homes.

ASSEMBLY BILL NO. 3001—Nunez. An act to add Section 17292.7 to the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 3002—Houston. An act to amend Section 2699 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 3003—Kehoe. An act to add Section 37397.5 to the Government Code, relating to sports team relocation expenses.

ASSEMBLY BILL NO. 3004—Pavley. An act to add Chapter 6.1 (commencing with Section 119165) to Part 15 of Division 104 of the Health and Safety Code, relating to road safety flares.

ASSEMBLY BILL NO. 3005—Calderon. An act to amend Sections 387, 399.12, 399.13, 399.14, 399.15, and 399.16 of the Public Utilities Code, relating to renewable energy resources.

ASSEMBLY BILL NO. 3006—Haynes. An act to add Section 85301.5 to the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 3007—Plescia. An act to amend Section 54954.1 of the Government Code, relating to open meetings.

ASSEMBLY BILL NO. 3008—Hancock. An act to amend Section 31520.5 of the Government Code, relating to county employees' retirement.

ASSEMBLY BILL NO. 3009—Houston. An act to amend Section 183 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 3010—Laird. An act to add Section 81050.5 to the Education Code, relating to community colleges.

ASSEMBLY BILL NO. 3011—Laird. An act to add Chapter 10 (commencing with Section 100700) to Part 12 of Division 10 of the Public Utilities Code, and to add Section 9250.6 to the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 3012—Runner and Mountjoy. An act to amend Sections 125119 and 129119.5 of, and to repeal Sections 125118 and 125118.5 of, the Health and Safety Code, relating to stem cell research.

ASSEMBLY BILL NO. 3013—Pavley. An act to add Sections 1747.08 and 1747.09 to the Civil Code, relating to credit.

ASSEMBLY BILL NO. 3014—Runner. An act to amend Section 52052.2 of the Education Code, relating to school accountability.

ASSEMBLY BILL NO. 3015—Runner. An act to amend Section 406 of the Military and Veterans Code, relating to military service.

ASSEMBLY BILL NO. 3016—Wesson. An act to amend Section 1798.85 of the Civil Code, relating to privacy.

ASSEMBLY BILL NO. 3017—Chavez. An act relating to the California Children and Families First Act of 1998.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 27—Campbell. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article V thereof, relating to state government reorganization.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 28—McCarthy. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 3 to Article XXII thereof, relating to public contracts.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 185—McCarthy. Relative to the Petroleum Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 186—Frommer. Relative to Colorectal Cancer Awareness Month.

HOUSE RESOLUTION NO. 43—Runner. Relative to Endometriosis Awareness Month.

ADJOURNMENT

At 6:30 p.m., the Assembly adjourned until 12 noon, Tuesday, February 24, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, February 24, 2004

**ONE HUNDRED FIFTY-EIGHTH SESSION DAY
FOUR HUNDRED FIFTIETH 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
Tuesday, February 24, 2004

The Assembly met at 12 noon.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy 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 12:14 p.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—77:

Aghazarian	Dutton	Levine	Plescia
Bates	Dymally	Lieber	Reyes
Benoit	Firebaugh	Liu	Richman
Berg	Frommer	Lowenthal	Ridley-Thomas
Bermudez	Garcia	Maddox	Runner
Bogh	Goldberg	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Spitzer
Canciamilla	Haynes	McCarthy	Steinberg
Chan	Horton, Shirley	Montanez	Strickland
Chavez	Houston	Mountjoy	Vargas
Chu	Jackson	Mullin	Wesson
Cogdill	Keene	Nakanishi	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Koretz	Nation	Wyland
Correa	La Malfa	Negrete McLeod	Yee
Cox	La Suer	Oropeza	Mr. Speaker
Daucher	Laird	Pacheco	
Diaz	Leno	Parra	
Dutra	Leslie	Pavley	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, You have revealed to us that You want us to “love one another, for love is of God; and everyone who loves is born of God and knows God.” (1 John 4:7)

Lord, we know that love is a word that is always in fashion, but whose contemporary meaning is often distorted and obscured by a love of material things and a fascination with the secular.

Help us to show a sacrificial love, even when it isn't easy or convenient, so that we may be able to disagree and not be disagreeable.

Lord, fill us with the nurturing love that comes from You, that we may share it with others, for You have showered it upon us.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Negrete McLeod 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 Frommer, 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 legislative business: Assembly Member Longville.

On personal business, and waiving per diem: Assembly Member Simitian.

Because of illness in his family: Assembly Member Jerome E. Horton.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

February 24, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request approval to be excused from session on February 24, 2004 due to legislative business in the District.

Thank you for your consideration of this request. If your staff should have any further questions or require further information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

REPORTS

The following reports were presented by the Chief Clerk:

**Quarterly Hazardous Waste Fee Revenue Report
October 1, 2003 through December 31, 2003
(Pursuant to Health and Safety Code Section 25178.1)**

Above transmitted report, together with letter of transmittal from Timothy W. Boyer, Interim Executive Director, Board of Equalization, dated February 11, 2004, referred by the Speaker to the Committee on Budget.

**Unpaid Holocaust-Era Insurance Claims Status Report
January 2004
(Pursuant to Insurance Code Section 12967 (e))**

Above transmitted report, together with letter of transmittal from John Garamendi, Insurance Commissioner, dated February 19, 2004, referred by the Speaker to the Committee on Insurance.

**Review of Practices to Ensure Exclusion of Prohibited Wastes
from Landfills Without Appropriate Containment
(Pursuant to Budget Act 2002-03)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated February 20, 2004, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**Certified Disabled Veteran Business Enterprise (DVBE)
Small Business Contracting Activity and/or Race, Ethnicity
and Gender Business Ownership Reports from:**

Commission on Teacher Credentialing, Crista Hill, Manager, Fiscal and Business Services Section, dated February 9, 2004;

Department of General Services, Ron Joseph, Interim Director, dated February 20, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 24, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 165

And reports the same correctly enrolled, and presented to the Secretary of State on the 24th day of February, 2004, at 11:30 a.m.

E. DOTSON WILSON, Chief Clerk

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3018—Committee on Labor and Employment (Koretz (Chair), Mullin (Vice Chair), Chu, Hancock, Laird, and Negrete McLeod). An act to add Section 14000.5 to, and to repeal Section 15035 of, the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 3019—Committee on Labor and Employment (Koretz (Chair), Mullin (Vice Chair), Chu, Hancock, Laird, and Negrete McLeod). An act to amend Section 552 of the Labor Code, relating to employment.

ASSEMBLY BILL NO. 3020—Committee on Labor and Employment (Koretz (Chair), Mullin (Vice Chair), Chu, Hancock, Laird, and Negrete McLeod). An act to amend Section 106 of the Labor Code and Section 329 of the Unemployment Code, relating to the Joint Strike Force on the Underground Economy.

ASSEMBLY BILL NO. 3021—Committee on Labor and Employment (Koretz (Chair), Mullin (Vice Chair), Chu, Hancock, and Laird). An act to amend Section 1088 of the Unemployment Insurance Code, relating to employment.

ASSEMBLY BILL NO. 3022—Committee on Housing and Community Development (Lowenthal (Chair), Cogdill, Dutra, Kehoe, Mullin, Runner, Salinas, and Steinberg). An act to amend Sections 50781, 50784, and 50802.5 of the Health and Safety Code, relating to housing, and making an appropriation therefor.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

1853	-----	Health
1854	-----	Trans.
1857	-----	Pub. S.
1858	-----	Ed.
1859	-----	B. & F.
1861	-----	Pub. S.
1864	-----	Pub. S.
1865	-----	Pub. S.
1866	-----	Pub. S.
1867	-----	Ins.
1869	-----	Rev. & Tax.
1870	-----	B. & F.
1872	-----	Ed.
1873	-----	Nat. Res.
1874	-----	U. & C.
1875	-----	P.E.,R. & S.S.
1876	-----	E.S. & T.M. and Nat. Res.
1877	-----	Trans.
1878	-----	Trans.
1881	-----	Hum. S.
1883	-----	Jud.
1884	-----	Pub. S.
1886	-----	Rev. & Tax.
1888	-----	Rev. & Tax.
1889	-----	U. & C.
1891	-----	Ins.
1894	-----	Pub. S.
1897	-----	Ed.

1898	-----	Health
1899	-----	Pub. S.
1900	-----	Pub. S.
1904	-----	L. Gov.
1905	-----	Rev. & Tax.
1906	-----	E.S. & T.M.
1907	-----	Pub. S.
1908	-----	W.,P. & W.
1909	-----	Jud.
1910	-----	Jud.
1911	-----	J., E.D. & E.
1912	-----	Jud.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
168	----- V.A.
169	----- Health
170	----- Jud.
171	----- V.A.
173	----- Rls.
174	----- Rls.
175	----- Rls.
176	----- Rls.
177	----- Higher Ed.

House

<i>Resolution No.</i>	<i>Committee</i>
40	----- Higher Ed.

Senate

<i>Bill No.</i>	<i>Committee</i>
115	----- Jud.
391	----- Jud.
512	----- W.,P. & W. and E.S. & T.M.
557	----- Nat. Res.
559	----- E.S. & T.M.
904	----- Nat. Res.

REQUEST FOR PHOTOGRAPHER

Assembly Member Wesson was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 1618 (Firebaugh)—An act to add Section 7661 to the Public Utilities Code, relating to railroad corporations, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mountjoy	Vargas
Cogdill	Keene	Mullin	Wiggins
Cohn	Kehoe	Nakanishi	Wolk
Corbett	Koretz	Nakano	Wyland
Correa	La Malfa	Nation	Yee
Daucher	La Suer	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—73

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maddox	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Campbell	Harman	Matthews	Salinas
Canciamilla	Haynes	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Spitzer
Chavez	Houston	Montanez	Steinberg
Chu	Jackson	Mountjoy	Vargas
Cogdill	Keene	Mullin	Wiggins
Cohn	Kehoe	Nakanishi	Wolk
Corbett	Koretz	Nakano	Wyland
Correa	La Malfa	Nation	Yee
Daucher	La Suer	Negrete McLeod	Mr. Speaker
Diaz	Laird	Oropeza	
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	

NOES—None

Above bill ordered enrolled.

ASSEMBLY BILL NO. 97 (Nation)—An act to amend Section 56836.155 of, and to add and repeal Article 7 (commencing with Section 48300) of Chapter 2 of Part 27 of, the Education Code, relating to public schools, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—72

Aghazarian	Dymally	Leslie	Pacheco
Bates	Firebaugh	Levine	Parra
Benoit	Frommer	Lieber	Pavley
Berg	Garcia	Liu	Plescía
Bogh	Goldberg	Lowenthal	Reyes
Campbell	Hancock	Maddox	Richman
Canciamilla	Harman	Maldonado	Ridley-Thomas
Chan	Haynes	Matthews	Runner
Chavez	Horton, Shirley	Maze	Salinas
Chu	Houston	McCarthy	Samuelian
Cogdill	Jackson	Montanez	Spitzer
Cohn	Keene	Mountjoy	Steinberg
Corbett	Kehoe	Mullin	Vargas
Correa	Koretz	Nakanishi	Wiggins
Daucher	La Malfa	Nakano	Wolk
Diaz	La Suer	Nation	Wyland
Dutra	Laird	Negrete McLeod	Yee
Dutton	Leno	Oropeza	Mr. Speaker

NOES—None

Above bill ordered enrolled.

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until Thursday, February 26, 2004.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 604 (Perata)—An act to amend Sections 81008, 84101, 84103, 84108, 84203, 84204, and 84502 of, to repeal Section 84305.6 of, and to repeal and add Section 84305.5 of, the Government Code, relating to the Political Reform Act of 1974, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Levine.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—73

Aghazarian	Dymally	Lieber	Plescía
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Lowenthal	Richman
Berg	García	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Calderon	Hancock	Matthews	Salinas
Campbell	Harman	Maze	Samuelian
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
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—1

Haynes

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—73

Aghazarian	Dymally	Lieber	Plescia
Bates	Firebaugh	Liu	Reyes
Benoit	Frommer	Lowenthal	Richman
Berg	Garcia	Maddox	Ridley-Thomas
Bogh	Goldberg	Maldonado	Runner
Calderon	Hancock	Matthews	Salinas
Campbell	Harman	Maze	Samuelian
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
Daucher	Laird	Oropeza	Mr. Speaker
Diaz	Leno	Pacheco	
Dutra	Leslie	Parra	
Dutton	Levine	Pavley	

NOES—1

Haynes

Bill ordered transmitted to the Senate.

(NOTE: On August 4, 2004, the action was rescinded whereby the urgency clause was adopted and Senate Bill No. 604 was passed, and whereby the bill was ordered transmitted to the Senate. See page 6894.)

SENATE CONCURRENT RESOLUTION NO. 56 (Figueroa)—Relative to the Joint Committee on Boards, Commissions, and Consumer Protection.

Resolution read, presented by Assembly Member Correa, and adopted by the following vote:

AYES—73

Aghazarian	Firebaugh	Lieber	Plescia
Bates	Frommer	Liu	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Goldberg	Maddox	Ridley-Thomas
Bogh	Hancock	Maldonado	Runner
Calderon	Harman	Matthews	Salinas
Campbell	Haynes	Maze	Samuelian
Canciamilla	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
Daucher	La Suer	Negrete McLeod	Yee
Diaz	Laird	Oropeza	Mr. Speaker
Dutra	Leno	Pacheco	
Dutton	Leslie	Parra	
Dymally	Levine	Pavley	

NOES—None

Resolution ordered transmitted to the Senate.

RECESS

By unanimous consent, at 12:26 p.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

Speaker Emeritus Wesson introduced actress Tia Carrere, actor Lou Diamond Phillips, Fritz Friedman, Senior Vice President of Worldwide Publicity for Columbia TriStar Home Entertainment (CTHE), and Dean Devlin, Chairman and Chief Executive Officer of Electric Entertainment, whereupon he was joined by Speaker Nunez in presenting a resolution to each in recognition of their lifetime achievements and meritorious service on behalf of Filipino veterans of World War II.

Lou Diamond Phillips then addressed the assemblage.

RECONVENED

At 12:33 p.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Chan announced that the Joint Legislative Audit Committee would meet today at 1:15 p.m., in Room 444.

ADJOURN IN MEMORY

Speaker Nunez and Assembly Members Reyes, Ridley-Thomas, and Goldberg were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Frank del Olmo, of Los Angeles.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charlie Fox, of San Mateo.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Ivan Crookshanks, of Visalia.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Lowenthal and Harman were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sgt. Timothy O'Donnell, of the Long Beach Police Department.

(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 Jean Richardson, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Wednesday, February 25—Check-in Session, 7 a.m.–3 p.m.;
Thursday, February 26—Floor Session, 9 a.m.;
Monday, March 1—Floor Session, 11 a.m.;
Tuesday, March 2—No Session;
Wednesday, March 3—No Session;
Thursday, March 4—Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Speaker Emeritus Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles “Cab” Caballero, of Los Angeles.

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Louis T. Arbios, of Stockton.

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 Monica Permeal Hadley, of Arcata and Mildred McGowan “Mid” Westfall, of Ferndale.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pam Grady, of Palo Alto.

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 Jean Garr, of Sierra Madre.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Norman Liner, of Torrance.

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. 1618, Urgency and Concurrence: Bates, Campbell, Chavez, Cohn, Diaz, Shirley Horton, Houston, Keene, Kehoe, Maddox, Maldonado, Mountjoy, Runner, and Samuelian—Aye.

Assembly Bill No. 97, Concurrence: Bates, Campbell, Chavez, Cohn, Correa, Diaz, Shirley Horton, Houston, Keene, Maddox, Maldonado, Mountjoy, Runner, and Samuelian—Aye.

Senate Bill No. 604 and Urgency: Bates, Chavez, Cohn, Diaz, Shirley Horton, Houston, Keene, Koretz, Lieber, Maldonado, Oropeza, Runner, and Samuelian—Aye; Haynes—No.

Senate Concurrent Resolution No. 56: Chavez, Cohn, Diaz, Shirley Horton, Houston, Keene, Lieber, Maldonado, Oropeza, Runner, and Samuelian—Aye.

MOTION TO ADJOURN

At 1 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:01 p.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS
Committee on Transportation

February 24, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Concurrent Resolution No. 163

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 163—Relative to the Officer Shannon Distel Memorial Interchange.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Health

February 24, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Senate Bill No. 749

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

SENATE BILL NO. 749—An act to add Chapter 31 (commencing with Section 22942) to Division 8 of the Business and Professions Code, relating to hospital group purchasing organizations.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

February 24, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 438

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERMUDEZ, Chair

SENATE BILL NO. 438—An act to amend Section 8686 of the Government Code, and to amend Sections 17207 and 24347.5 of the Revenue and Taxation Code, relating to disaster relief, 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.

AUTHOR'S AMENDMENTS
Committee on Rules

February 24, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 154

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTANEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 154—Relative to Elder and Dependent Adult Abuse Awareness Month.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 7 a.m., Wednesday, February 25, 2004, out of respect to the memory of Frank del Olmo, on motion of Speaker Nunez and Assembly Members Reyes, Ridley-Thomas, and Goldberg; out of respect to the memory of Charlie Fox, on motion of Assembly Member Mullin; out of respect to the memory of Dr. Ivan Crookshanks, on motion of Assembly Member Maze; out of respect to the memory of Sgt. Timothy O'Donnell, on motion of Assembly Members Lowenthal and Harman; out of respect to the memory of Jean Richardson, on motion of Assembly Member Wiggins; out of respect to the memory of Charles "Cab" Caballero, on motion of Speaker Emeritus Wesson; out of respect to the memory of Louis T. Arbios, on motion of Assembly Member Aghazarian; out of respect to the memory of Monica Permeal Hadley and Mildred McGowan "Mid" Westfall, on motion of Assembly Member Berg; out of respect to the memory of Pam Grady, on motion of Assembly Member Daucher; out of respect to the memory of Jean Garr, on motion of Assembly Member Mountjoy; and out of respect to the memory of Norman Liner, on motion of Assembly Member Nakano.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 24, 2004**

The following measures were amended in the Assembly on this day:

ACR RN

154 0405730

163 0405890

SB RN

438 0405872

749 0405832

Daily Total: 4**Cumulative Total: 3173**

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, February 25, 2004

**ONE HUNDRED FIFTY-NINTH SESSION DAY
FOUR HUNDRED FIFTY-FIRST 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
Wednesday, February 25, 2004

The Assembly met at 7 a.m.

Hon. Simon Salinas, Assembly Member, 28th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—72:

Aghazarian	Dutton	Leno	Parra
Bates	Dymally	Leslie	Pavley
Benoit	Firebaugh	Levine	Plescia
Berg	Frommer	Lieber	Reyes
Bermudez	Garcia	Liu	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maldonado	Runner
Canciamilla	Harman	Matthews	Salinas
Chan	Haynes	Maze	Samuelian
Chavez	Horton, Jerome	Montanez	Spitzer
Chu	Horton, Shirley	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Vargas
Cohn	Jackson	Nakanishi	Wesson
Corbett	Keene	Nakano	Wiggins
Correa	Kehoe	Nation	Wolk
Cox	La Malfa	Negrete McLeod	Wyland
Daucher	La Suer	Oropeza	Yee
Dutra	Laird	Pacheco	Mr. Speaker

Quorum present.

At 1:38 p.m., Hon. John Laird, 27th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Members Maddox and McCarthy.

On legislative business, and waiving per diem: Assembly Member Strickland.

On personal business, and waiving per diem: Assembly Members Campbell, Diaz, Koretz, Longville, and Simitian.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 20, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from check-in session on Wednesday, February 25th and session on Thursday, February 26th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDUX, Assembly Member
Sixty-eighth District

February 20, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Wednesday, February 25th, because of legislative business in my district.

If you have any questions, please contact Julie Sauls at 319-2032.

Sincerely,

KEVIN MCCARTHY, Assembly Member
Thirty-second District

February 24, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request that you waive my per diem for the dates of February 25, 2004, February 26, 2004, and March 1, 2004 due to out of town legislative business.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

February 25, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have changed the regular hearing time for Budget Subcommittee #3—Resources from 8:00 a.m. to 8:30 a.m. on every Wednesday.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Special Committee on State Mandates, on Monday, March 1, 2004, at 10 a.m., in Room 447.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 25, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 154

Assembly Concurrent Resolution No. 163

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communications were presented permitting the introduction of Assembly bills:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Calderon to introduce a bill relating to seismic safety. Request No. 0403663.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Calderon to introduce a bill relating to seismic safety. Request No. 0403680.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Calderon to introduce a bill relating to environmental quality: biotechnology industry. Request No. 0402338.

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3023—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Section 80074 of the Food and Agricultural Code, relating to native plants.

ASSEMBLY BILL NO. 3024—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Section 52282 of the Food and Agricultural Code, relating to seeds.

ASSEMBLY BILL NO. 3025—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Section 58750 of the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 3026—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to add Division 22.5 (commencing with Section 79201) to the Food and Agricultural Code, relating to agriculture.

ASSEMBLY BILL NO. 3027—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Sections 112845 and 112850 of the Health and Safety Code, relating to canneries.

ASSEMBLY BILL NO. 3028—Committee on Agriculture (Matthews (Chair), Berg, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act relating to the pesticide mill assessment.

ASSEMBLY BILL NO. 3029—Committee on Agriculture (Matthews (Chair), Berg, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to repeal Sections 10004, 10005, 10006, 10007, 10008, 10009, and 10031 of the Food and Agricultural Code, relating to cattle.

ASSEMBLY BILL NO. 3030—Committee on Agriculture (Matthews (Chair), Berg, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Section 4846.5 of the Business and Professions Code, and to add Section 105.5 to the Food and Agricultural Code, relating to veterinarians.

ASSEMBLY BILL NO. 3031—Committee on Agriculture (Matthews (Chair), Berg, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). An act to amend Sections 35011, 35012, 35013, 35014, and 35015 of the Food and Agricultural Code, relating to milk.

ASSEMBLY BILL NO. 3032—Calderon. An act to amend Sections 8875.8 and 8875.9 of the Government Code, relating to seismic safety.

ASSEMBLY BILL NO. 3033—Calderon. An act to amend Section 8875.4 of, and to add and repeal Section 8875.10 of, the Government Code, and to repeal Section 19169 of the Health and Safety Code, relating to seismic safety.

ASSEMBLY BILL NO. 3034—Calderon. An act relating to environmental quality.

ADJOURNMENT

At 8:44 p.m., the Assembly adjourned until 9 a.m., Thursday, February 26, 2004.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, February 26, 2004

**ONE HUNDRED SIXTIETH SESSION DAY
FOUR HUNDRED FIFTY-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
Thursday, February 26, 2004

The Assembly met at 9 a.m.

Hon. Sally Lieber, Assistant 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 Mountjoy moved a quorum call of the Assembly. Motion carried. Time, 9:01 a.m.

The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:18 a.m., Assistant Speaker pro Tempore Lieber declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—71:

Aghazarian	Dutton	Laird	Pacheco
Bates	Dymally	Leno	Parra
Benoit	Firebaugh	Leslie	Pavley
Berg	Frommer	Lieber	Plescia
Bermudez	Garcia	Liu	Reyes
Bogh	Goldberg	Lowenthal	Richman
Calderon	Hancock	Maldonado	Ridley-Thomas
Canciamilla	Harman	Matthews	Runner
Chan	Haynes	Maze	Salinas
Chavez	Horton, Jerome	McCarthy	Samuelian
Chu	Horton, Shirley	Montanez	Spitzer
Cogdill	Houston	Mountjoy	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Keene	Nakanishi	Wiggins
Correa	Kehoe	Nakano	Wolk
Cox	Koretz	Nation	Wyland
Daucher	La Malfa	Negrete McLeod	Mr. Speaker
Dutra	La Suer	Oropeza	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Lieber, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

O God, You are eternal, without beginning; and have called all things into being from nothing. You dwell in light and have the heavens for Your throne and the earth for Your footstool. Heavenly Father, as we pray this morning we ask first for Your forgiveness, and further, Lord, we ask that You strengthen us with the Grace and inspiration of Your life-giving Holy Spirit, so that we may accomplish the tasks set before us this day to Your glory.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Lieber, Assembly Member Kehoe 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 Frommer, 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 legislative business: Assembly Members Levine, Longville, Maddox, Simitian, Wesson, and Yee.

On legislative business, and waiving per diem: Assembly Member Strickland.

On personal business, and waiving per diem: Assembly Members Campbell and Diaz.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 20, 2004

Assemblyman Fabian Nunez

Speaker

California State Assembly

State Capitol, Room 219

Sacramento, California

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Assembly Floor Session Thursday, February 26, for legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

LLOYD LEVINE, Assembly Member
Fortieth District

February 24, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Legislative Session on February 26, 2004 due to legislative business in my district.

Thank you for your consideration of this request. If your staff should have any further questions or require further information, please feel free to contact Traci Holt at 319-2062.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

February 17, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez,

This is a request to be excused from Session on Thursday, February 26, 2004. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

February 26, 2004

*Hon. Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Fabian: This is to request permission to be excused from Session today, Thursday, February 26 on legislative business.

Sincerely,

HERB J. WESSON, JR.
Speaker Emeritus of the California Assembly

February 26, 2004

*Speaker Fabian Nunez
California State Assembly
Room 219, State Capitol
Sacramento, California*

Dear Speaker Nunez: I respectfully request that I be excused from the Assembly floor session on Thursday, February 26th. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, PH.D.
Speaker pro Tempore

(NOTE: For letters explaining the absence of Assembly Member Maddox on this day on legislative business and Assembly Member Strickland on legislative business and waiving per diem pursuant to the Assembly Rules, see Assembly Daily Journal for February 25, 2004.)

COMMUNICATIONS Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 20, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Minor's Pregnancy.

Waiting Period and Parental Notification or Waiver Before Abortion. Initiative Constitutional Amendment. SA 2003RF0064, Amdt. #1-S

Referred by the Speaker to the Committee on Judiciary.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Human Services, on Monday, March 1, 2004, upon adjournment of Floor Session in the Tom Bane Rules Committee Room;

Select Committee on Professional Sports, on Friday, March 5, 2004, at 10 a.m., in Los Angeles;

Select Committee on Adult Education to convene jointly with the Committee on Jobs, Economic Development, and the Economy, on Friday, March 12, 2004, at 12:30 p.m., in Los Angeles;

Labor and Employment, on Wednesday, March 17, 2004, at 1:30 p.m., in Room 447;

Joint Committee on Fisheries and Aquaculture, on Wednesday, March 17, 2004, at 9:30 a.m., in Room 126;

Elections, Redistricting and Constitutional Amendments, on Tuesday, March 25, 2004, at 1:30 p.m.;

Select Committee on the I-5/7-10 Expansion, on Thursday, March 25, 2004, at 11 a.m., or upon adjournment of Floor Session;

Joint Legislative Sunset Review Committee, on Tuesday, March 30, 2004 and Wednesday, April 14, 2004;

Select Committee on Childhood Obesity and Related Diabetes, on Saturday, April 24, 2004, at 10 a.m., in San Francisco;

Joint Committee to Develop a Master Plan to End Poverty in California, on Friday, March 5, 2004, at 11:30 a.m., in Los Angeles.

AUTHOR'S AMENDMENTS
Committee on Public Safety

February 26, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1808

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1808—An act to amend Section 374.4 of the Penal Code, relating to littering.

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.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
 JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communications were presented permitting the introduction of Assembly bills:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Dymally to introduce a bill relating to health facilities: neonatal intensive care units. Request No. 0402927.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Dymally to introduce a bill relating to State Department of Mental Health: quality council. Request No. 0405808.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Dymally to introduce a bill relating to employment: occupational safety and health. Request No. 0401946.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Dymally to introduce a bill relating to emergency services. Request No. 0402564.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Chavez to introduce a bill relating to sentencing. Request No. 0404647.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Chavez to introduce a bill relating to alcoholic beverages: on-sale licenses. Request No. 0401739.

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Chavez to introduce a bill relating to prenatal ultrasound testing. Request No. 0405930.

FABIAN NUÑEZ
 Speaker of the Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3035—Dymally. An act to add Section 1254.8 to the Health and Safety Code, relating to health facilities.

ASSEMBLY BILL NO. 3036—Dymally. An act to add Section 4204 to the Welfare and Institutions Code, relating to mental health.

ASSEMBLY BILL NO. 3037—Dymally. An act to amend Sections 6310, 6312, and 6401.7 of, to add Sections 6312.1, 6312.2, 6312.5, 6401.8, 6401.9, 6401.10, and 6401.11 to, and to repeal Section 6311 of, the Labor Code, and to amend Section 1103 of, and to add Chapter 1.5 (commencing with Section 1200) to Part 1 of Division 2 of, the Public Contract Code, relating to employment.

ASSEMBLY BILL NO. 3038—Dymally. An act to add Division 2.7 (commencing with Section 1850) to the Health and Safety Code, relating to emergency services.

ASSEMBLY BILL NO. 3039—Committee on Environmental Safety and Toxic Materials (Laird (Chair), Chu, Levine, Lieber, and Lowenthal). An act relating to coastal resources.

ASSEMBLY BILL NO. 3040—Committee on Environmental Safety and Toxic Materials (Laird (Chair), Chu, Levine, Lieber, and Lowenthal). An act to amend Section 25356.5 of the Health and Safety Code, and to amend Section 13177.7 of the Water Code, relating to hazardous substances.

ASSEMBLY BILL NO. 3041—Committee on Environmental Safety and Toxic Materials (Laird (Chair), Aghazarian (Vice Chair), Chu, Levine, Lieber, and Lowenthal). An act to amend Section 100830 of the Health and Safety Code, relating to environmental laboratories.

ASSEMBLY BILL NO. 3042—Chavez. An act to add Section 675 to the Penal Code, relating to sentencing.

ASSEMBLY BILL NO. 3043—Chavez. An act to amend Section 24045.1 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 3044—Chavez. An act to add Article 5 (commencing with Section 125120) to Chapter 1 of Part 5 of Division 106 of the Health and Safety Code, relating to prenatal testing.

ASSEMBLY BILL NO. 3045—Committee on Agriculture (Matthews (Chair), Berg, Oropeza, Parra, Salinas, Vargas, and Wiggins). An act to amend Section 33294 of the Food and Agricultural Code, relating to milk.

ASSEMBLY BILL NO. 3046—Committee on Agriculture (Matthews (Chair), Berg, Oropeza, Parra, Salinas, Vargas, and Wiggins). An act to amend Section 32814 of the Food and Agricultural Code, relating to milk.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 44—Matthews and Maldonado (Coauthors: Berg, Cogdill, Maddox, Maze, Oropeza, Parra, Reyes, Salinas, Vargas, and Wiggins). Relative to National Agriculture Week and National Agriculture Day.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

1843 -----	J., E.D. & E.
1855 -----	J., E.D. & E.
1856 -----	J., E.D. & E. and Rev. & Tax.
1863 -----	Jud.
1880 -----	Higher Ed. and V.A.

1895	-----	Jud.
1919	-----	V.A.
1920	-----	Pub. S.
1921	-----	W.,P. & W.
1922	-----	Ed.
1923	-----	L. & E.
1925	-----	Ed.
1926	-----	W.,P. & W.
1927	-----	Health
1929	-----	L. Gov.
1931	-----	Pub. S.
1932	-----	Higher Ed.
1933	-----	G.O.
1936	-----	L. Gov.
1937	-----	Pub. S.
1938	-----	Pub. S.
1940	-----	E.S. & T.M.
1942	-----	E.S. & T.M.
1943	-----	L. Gov.
1944	-----	Ed.
1951	-----	Trans.
1952	-----	Aging & L.T.C.
1953	-----	Ins.
1954	-----	Ed.
1955	-----	Ins.
1956	-----	Pub. S.
1962	-----	Ins.
1963	-----	Health
1964	-----	Jud.
1965	-----	Ins.
1968	-----	Jud.
1972	-----	Ed.
1977	-----	P.E.,R. & S.S.
1978	-----	Jud.
1979	-----	B. & F.
1980	-----	E.,R. & C.A.
1981	-----	U. & C.
1983	-----	W.,P. & W.
1984	-----	Nat. Res.
1985	-----	Ins.
1987	-----	Ed.
1989	-----	L. Gov.
1990	-----	Jud.
1993	-----	Ed.
1999	-----	Higher Ed. and B. & P.
2003	-----	E.,R. & C.A.
2006	-----	U. & C.
2007	-----	B. & P.
2009	-----	L. Gov.
2011	-----	Pub. S.
2012	-----	Trans.
2014	-----	B. & F.
2015	-----	Ed.
2019	-----	Pub. S.

2020	-----	Pub. S.
2021	-----	E.S. & T.M.
2024	-----	Trans.
2026	-----	Hum. S.
2027	-----	Trans.
2028	-----	Ins.
2029	-----	Trans.
2030	-----	Rev. & Tax.
2031	-----	L. Gov.
2032	-----	Trans.
2033	-----	V.A.
2034	-----	P.E.,R. & S.S.
2035	-----	Ed.
2036	-----	P.E.,R. & S.S.
2037	-----	Pub. S.
2038	-----	Jud.
2040	-----	Trans.
2049	-----	Health
2050	-----	Ed.
2051	-----	Ed.
2054	-----	Agri.
2056	-----	B. & P.
2057	-----	Jud.
2058	-----	Pub. S.
2059	-----	B. & P.
2060	-----	V.A.
2066	-----	Ed.
2067	-----	L. Gov.
2074	-----	Agri.
2076	-----	Rev. & Tax.
2080	-----	Ed.
2081	-----	Jud.
2084	-----	Jud.
2085	-----	Trans.
2086	-----	Health
2087	-----	Health
2090	-----	B. & P.
2091	-----	E.,R. & C.A.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>	
179	-----	Trans.
180	-----	Trans.
181	-----	Rls.
182	-----	V.A.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>	
60	-----	Jud.
61	-----	Health
62	-----	Health
63	-----	Trans.
64	-----	Pub. S.

<i>House</i>	
<i>Resolution No.</i>	<i>Committee</i>
42 -----	Health
<i>Senate Concurrent</i>	
<i>Resolution No.</i>	<i>Committee</i>
57 -----	Rls.

ACTION RESCINDED ON SENATE BILL NO. 87

Assembly Member Frommer was granted unanimous consent to rescind the action whereby the Assembly, on September 8, 2003 (Assembly Journal, page 3546), passed Senate Bill No. 87, and whereby the bill was ordered transmitted to the Senate.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

SPECIAL COMMITTEE MEETINGS

Assembly Member Chu was granted unanimous consent that the Committee on Appropriations be permitted to meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room, and that Joint Rule 62(a) be waived for the purpose of hearing Senate Joint Resolution No. 17.

ADJOURN IN MEMORY

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 Keith DeShawn McDowell, of Hanford.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Assistant Speaker pro Tempore Lieber announced the following session schedule:

Monday, March 1, 2004, Floor Session, 11 a.m.;

Tuesday, March 2nd and Wednesday, March 3rd, No Session;

Thursday, March 4th, Floor Session, 9:30 a.m.

ADJOURN IN MEMORY

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald E. Brewster II, of Los Angeles; Sallie Maranda Fiske, of Los Angeles; and Frank G. Hernandez, of Sacramento.

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dr. Albert Jay Miller, of Monrovia.

Assembly Member Maldonado was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kit Furber, of Santa Maria.

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 Waldemar Allvin, of Kingsburg.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Phagna Tougeu Lyfoung, of Fresno.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Foster Phebus, of Palmdale.

MOTION TO ADJOURN

At 9:29 a.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member La Malfa seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Cox and Maze arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Cohn that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:36 a.m., Assistant Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 26, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 97

~~Assembly Bill No. 1618~~

And reports the same correctly enrolled, and presented to the Governor on the 26th day of February, 2004, at 10 a.m.

E. DOTSON WILSON, Chief Clerk

(NOTE: On March 8, 2004, the action was rescinded whereby Assembly Bill No. 1618 was reported correctly enrolled and presented to the Governor. See page 4733.)

MESSAGES FROM THE SENATE

Senate Chamber, February 26, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1041

Senate Bill No. 1057

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, February 26, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1091

Senate Bill No. 1092

Senate Bill No. 1093

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 1091—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1092—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1093—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: February 26, 2004

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 57

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: February 26, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 159

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolution ordered to the Consent Calendar.

Committee on Appropriations

Date of Hearing: February 26, 2004

Mr. Speaker: Your Committee on Appropriations reports:

Senate Joint Resolution No. 17

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.

CHU, Chair

Above resolution ordered to the Consent Calendar.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 11 a.m., Monday, March 1, 2004, out of respect to the memory of Keith DeShawn McDowell, on motion of Assembly Member Parra; out of respect to the memory of Donald E. Brewster II, Sallie Maranda Fiske, and Frank G. Hernandez, on motion of Assembly Member Goldberg; out of respect to the memory of Dr. Albert Jay Miller, on motion of Assembly Member Liu; out of respect to the memory of Kit Furber, on motion of Assembly Member Maldonado; out of respect to the memory of Waldemar Allvin, on motion of Assembly Member Parra; out of respect to the memory of Phagna Tougeu Lyfoung, on motion of Assembly Member Reyes; and out of respect to the memory of Foster Phebus, on motion of Assembly Member Runner.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON FEBRUARY 26, 2004**

The following measure was amended in the Assembly on this day:

AB RN
1808 0405797

Daily Total: 1
Cumulative Total: 3174

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 1, 2004

**ONE HUNDRED SIXTY-FIRST SESSION DAY
FOUR HUNDRED FIFTY-SIXTH 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, March 1, 2004

The Assembly met at 11 a.m.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Dutton moved a quorum call of the Assembly.

Motion carried. Time, 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 11:11 a.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—69:

Aghazarian	Dymally	Levine	Plescia
Bates	Firebaugh	Lieber	Reyes
Benoit	Frommer	Liu	Richman
Berg	Garcia	Lowenthal	Ridley-Thomas
Bermudez	Goldberg	Maddox	Runner
Bogh	Hancock	Maldonado	Samuelian
Calderon	Harman	Matthews	Spitzer
Canciamilla	Haynes	Maze	Steinberg
Chan	Horton, Jerome	McCarthy	Vargas
Chavez	Horton, Shirley	Montanez	Wesson
Chu	Houston	Mountjoy	Wiggins
Cogdill	Keene	Mullin	Wolk
Cohn	Koretz	Nakanishi	Wyland
Corbett	La Malfa	Nakano	Yee
Cox	La Suer	Nation	Mr. Speaker
Daucher	Laird	Negrete McLeod	
Dutra	Leno	Oropeza	
Dutton	Leslie	Pavley	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Member Mervyn M. Dymally, of the 52nd Assembly District:

Heavenly Father, We ask Your blessing on all assembled here this afternoon and on our work for the good and welfare of others. Give to all public servants eyes to behold Your truth, a seeing sense to know what is right and the genuine concern for the good of others. In Your goodness and love grant these blessings.

In the name of our Lord—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, 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 Frommer, 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 legislative business: Assembly Member Jackson.

On legislative business, and waiving per diem: Assembly Member Strickland.

On personal business, and waiving per diem: Assembly Members Campbell, Correa, Diaz, Kehoe, Pacheco, Parra, and Simitian.

Because of illness: Assembly Member Salinas.

Due to travel delays: Assembly Member Longville.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 24, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request that I be excused from floor session on Monday, March 1, 2004. I will be in my district conducting legislative business.

Please contact Janice Rocco in my Capitol office should you have any questions. Thank you for your prompt attention to this matter.

Sincerely,

HANNAN-BETH JACKSON, Assembly Member
Thirty-fifth District

March 1, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol
Room 219
Sacramento, California*

Dear Speaker Nunez: This letter is to request that I be excused from session on Monday, March 1 due to legislative business in my district, waiving per diem. Thank you for your attention to this matter.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

February 27, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on International Trade for the 2003–04 Regular Session and have appointed Assemblymember Jenny Oropeza as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

February 27, 2004

*Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California*

RE: Appointment of Jenny Oropeza
to California Transportation Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Jenny Oropeza to the California Transportation Commission. This is a pleasure appointment starting February 27, 2004. Assemblymember Oropeza will be replacing Assemblymember John Dutra.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

COMMUNICATIONS**Proposed Initiatives**

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated February 24, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Disclosure of Social Security Numbers, Confidential Information.
Unfair Competition Actions. Telemarketing.
Initiative Statute. SA 2003RF0072, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Social Security Numbers and
Consumer Confidential Information. Disclosure.
Identity Theft Remedies. Unfair Competition Actions.
Initiative Statute. SA 2003RF0073, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Disclosure of Social Security Numbers. Identity Theft Remedies.
Unfair Competition Actions. Telemarketing Calls.
Initiative Statute. SA 2003RF0074, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Disclosure of Social Security Numbers.
Unfair Competition Actions.
Initiative Statute. SA 2003RF0075, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Disclosure of Consumer Confidential Information and Social Security Numbers.
Unfair Competition Actions. Telemarketing Calls.
Initiative Statute. SA 2003RF0076, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Disclosure of Consumer Confidential Information.
Unfair Competition Actions.
Initiative Statute. SA 2003RF0077, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

**Social Security Numbers. Disclosure. Identity Theft Remedies.
Unfair Competition Actions. Telemarketing Calls.
Initiative Statute. SA 2003RF0078, Amdt. #1-S**

Referred by the Speaker to the Committee on Judiciary.

The following communication was presented by the Chief Clerk:

From Michelle L. Levy, Senior Legal Analyst, Department of Justice, Office of the Attorney General, dated February 25, 2004, transmitting copies of the title, summary and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

**Compensation for Injured Workers. Eligibility and Benefit Limits.
Initiative Statute. SA 2003RF0080**

Referred by the Speaker to the Committee on Insurance.

REPORTS

The following reports were presented by the Chief Clerk:

**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 February 25, 2004, referred by the Speaker to the Committee on Natural Resources.

**Report on Investments Regarding
Domestic and International Corporations Operating in Northern Ireland
(Pursuant to Government Code Section 7513.5)**

Above transmitted report, together with letter of transmittal from Mark Anson, Chief Investment Officer, California Public Employees' Retirement System, dated February 18, 2004, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Report on Investment Holdings
in Companies That May Owe Compensation to Victims of Slave or Forced Labor
During World War II
(Pursuant to Senate Bill 1245, Chapter 216, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Mark Anson, Chief Investment Officer, California Public Employees' Retirement System, dated February 18, 2004, referred by the Speaker to the Committee on Judiciary.

**2002–2003 Vocational Education Carryover Funds
(Pursuant to Budget Act 2003–2004)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 20, 2004, referred by the Speaker to the Committee on Budget.

**Analysis of the California Labor and Workforce Development Agency's
Enforcement of Wage and Hour Laws
(Pursuant to Assembly Bill 2985, Chapter 662, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Victoria L. Bradshaw, Acting Secretary, Labor and Workforce Development Agency, dated February 20, 2004, referred by the Speaker to the Committee on Labor and Employment.

**San Francisco Toll Bridge Report for Fiscal Year 2003–04
(Pursuant to Streets and Highway Code Sections 30961 and 30895)**

Above transmitted report, together with letter of transmittal from Steve Heminger, Executive Director, Bay Area Toll Authority, dated February 25, 2004, referred by the Speaker to the Committee on Transportation.

**Enhanced Data Elements Study
(Pursuant to Supplemental Report of the 2002 Budget Act)**

Above transmitted report, together with letter of transmittal from Herb K. Schultz, Acting Director, Employment Development Department, dated February 23, 2004, referred by the Speaker to the Committee on Budget.

**3State of California Resources Agency
The Changing California: Forest and Range
2003 Assessment Report**

Above report referenced in communication from Mike Chrisman, Secretary for Resources dated February 2, 2004, stating availability of report at CDF website. Referred by the Speaker to the Committee on Natural Resources.

**Department of General Services
Annual Capitol Area Plan Progress Report
(Pursuant to Government Code Section 8164)**

Above report referenced in communication from Ron Joseph, Interim Director, Department of General Services dated February 24, 2004, stating availability of report at DGS website. Referred by the Speaker to the Committee on Business and Professions.

**2002–03 Emergency Medical Services Fund (EMS) Reports
(Pursuant to Health and Safety Code Section 1797.98B(a)) from:**

Santa Barbara County, Public Health Department, Nancy Lapolla, MPH, EMS Agency Director, dated February 18, 2004.

Referred by the Speaker to the Committee on Health.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 26, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 44

Assembly Bill No. 1153

And reports the same correctly enrolled, and presented to the Governor on the 26th day of February, 2004, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 1, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1808

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, March 1, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 159

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3047—Committee on Transportation (Oropeza (Chair), Berg, Chan, Chu, Kehoe, Liu, Longville, Nakano, Parra, Pavley, and Salinas). An act to amend Section 470 of the Streets and Highways Code, and to amend Section 5201 of the Vehicle Code, relating to transportation.

ASSEMBLY BILL NO. 3048—Committee on Transportation (Oropeza (Chair), Berg, Chan, Chu, Kehoe, Liu, Longville, Nakano, Parra, Pavley, and Salinas). An act to amend Sections 22670, 22851.2, 22851.4, 22851.6, 22851.8, 22851.10, and 22852 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 3049—Committee on Transportation (Oropeza (Chair), Bates, Berg, Chan, Chu, Kehoe, Liu, Longville, Nakano, Parra, Pavley, and Salinas). An act to amend Sections 1803.5, 2800, 12505, 12517, 12517.4, 12804.9, 13353, 13353.4, 13353.7, 13369, 14601.5, 15210, 15278, 15300, 15302, 15304, 15306, 15308, 15311, 15312, 16073, 16431, 22406.1, 41501, and 42005 of, to add Sections 13366.5, 15275.1, 15311.1, 15312.1, and 15325 to, and to repeal Section 13353.6 of, the Vehicle Code, relating to vehicles, and making an appropriation therefor.

ASSEMBLY BILL NO. 3050—Committee on Transportation (Oropeza (Chair), Berg, Chan, Chu, Kehoe, Liu, Longville, Nakano, Parra, Pavley, and Salinas). An act to amend Section 188.10 of the Streets and Highways Code, relating to transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 187—Negrete McLeod. Relative to state employee merit awards.

ASSEMBLY CONCURRENT RESOLUTION NO. 188—Maze. Relative to Arthritis Awareness Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 189—La Malfa. Relative to the Bernie Richter Memorial Highway.

ASSEMBLY JOINT RESOLUTION NO. 66—Lieber. Relative to Equal Pay Day.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1792 -----	A.,E.,S.,T. & I.M. and Pub. S.
1793 -----	A.,E.,S.,T. & I.M. and Rls.
1805 -----	W.,P. & W. and Rls.
1845 -----	B. & P. and L. & E.
1871 -----	Budget
1885 -----	L. & E. and J., E.D. & E.
1896 -----	Agri.
1901 -----	Pub. S.
1913 -----	Hum. S.
1914 -----	Pub. S.
1915 -----	Trans.
1924 -----	Pub. S. and Nat. Res.
1930 -----	Ins.
1934 -----	W.,P. & W.
1941 -----	Pub. S.
1945 -----	Aging & L.T.C.
1946 -----	Pub. S.
1948 -----	Pub. S.

1971	-----	Trans.
1986	-----	Hum. S.
1996	-----	Pub. S.
2004	-----	B. & P.
2008	-----	B. & P.
2010	-----	Jud.
2016	-----	Pub. S.
2042	-----	Trans.
2043	-----	Trans. and Nat. Res.
2048	-----	E.S. & T.M.
2069	-----	B. & F. and B. & P.
2072	-----	W.,P. & W.
2073	-----	W.,P. & W.
2079	-----	E.,R. & C.A.
2082	-----	Hum. S.
2089	-----	Jud.
2094	-----	B. & F.
2095	-----	Agri.
2098	-----	Budget
2099	-----	Budget
2100	-----	Budget
2101	-----	Budget
2102	-----	Budget
2103	-----	Budget
2104	-----	Budget
2105	-----	Budget
2106	-----	Budget
2107	-----	Budget
2108	-----	Budget
2109	-----	Budget
2110	-----	Budget
2111	-----	Budget
2112	-----	Budget
2113	-----	Budget
2114	-----	Budget
2115	-----	Budget
2116	-----	Budget
2117	-----	Budget
2118	-----	Budget
2119	-----	Budget
2120	-----	Budget
2121	-----	Budget
2122	-----	Budget
2123	-----	Budget
2126	-----	Pub. S.
2127	-----	Aging & L.T.C.
2129	-----	Ins.
2130	-----	Ed.
2135	-----	U. & C.
2139	-----	Trans.
2140	-----	W.,P. & W.
2141	-----	W.,P. & W.
2142	-----	B. & P.
2143	-----	Pub. S.

2145	-----	Hum. S.
2146	-----	W.,P. & W.
2148	-----	Jud.
2150	-----	B. & P.
2151	-----	Hum. S.
2154	-----	Ed.
2155	-----	Nat. Res.
2156	-----	B. & F.
2157	-----	Trans.
2159	-----	Nat. Res.
2160	-----	Pub. S.
2161	-----	Jud.
2163	-----	Health
2164	-----	G.O.
2166	-----	Nat. Res.
2168	-----	B. & P.
2171	-----	Ed.
2172	-----	U. & C.
2173	-----	Pub. S.
2174	-----	Jud.
2176	-----	Nat. Res.
2179	-----	Health
2182	-----	Jud.
2183	-----	Ed.
2185	-----	Health
2186	-----	Nat. Res.
2187	-----	Ed.
2189	-----	Jud.
2191	-----	Pub. S.
2193	-----	Jud.
2195	-----	Ins.
2197	-----	W.,P. & W.
2198	-----	B. & P.
2199	-----	Ins.
2200	-----	Ed.
2201	-----	Trans.
2202	-----	Jud.
2204	-----	Rev. & Tax.
2205	-----	Hum. S.
2206	-----	J., E.D. & E.
2211	-----	Jud.
2212	-----	H. & C.D.
2215	-----	Trans.
2216	-----	B. & P.
2217	-----	Trans.
2224	-----	L. Gov.
2226	-----	B. & P.
2228	-----	Jud.
2229	-----	Health
2232	-----	P.E.,R. & S.S.
2233	-----	P.E.,R. & S.S.
2237	-----	Trans.
2238	-----	Pub. S.
2240	-----	Ed.

- 2242 ----- G.O.
- 2243 ----- L. Gov. and W.,P. & W.
- 2245 ----- J., E.D. & E.
- 2248 ----- Health
- 2249 ----- Ins.
- 2250 ----- Pub. S.
- 2251 ----- Nat. Res.
- 2253 ----- Jud.
- 2254 ----- E.S. & T.M.
- 2255 ----- Ins.
- 2256 ----- L. Gov.
- 2257 ----- Agri.
- 2258 ----- L. & E.
- 2259 ----- B. & P.
- 2262 ----- B. & P.
- 2263 ----- Ed.
- 2266 ----- V.A.
- 2267 ----- V.A.
- 2268 ----- V.A.

Assembly Concurrent

- | <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 167 ----- | Rls. |
| 178 ----- | Nat. Res. |

Senate Concurrent

- | <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 58 ----- | Rls. |

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Human Services, on Wednesday, March 16, 2004, at 1:30 p.m., in Room 126;

Subcommittee on Mental Health, to convene jointly with the Select Committee on Children’s Physical and Mental Well-being in Diverse California Communities, on Wednesday, March 24, 2004, at 1 p.m., in Room 127.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 749 be re-referred from the Committee on Health to the Committees on Judiciary and Appropriations.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

THIRD READING OF SENATE BILLS

SENATE BILL NO. 87 (Hollingsworth)—An act to amend Section 379 of the Streets and Highways Code, relating to highways.

Bill read third time.

Motion to Amend

Assembly Member Haynes 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. 87 to the Committee on Transportation.

**ADJOURN IN MEMORY
Moment of Silence**

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Ricardo Lizarraga, of the Los Angeles Police Department, and that the Assembly observe a moment of silence in his honor.

(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 Bill McGee, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Spitzer and Haynes were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lieutenant Dan Jarvis, of Temecula.

(Assembly Rule 45.5 suspended.)

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Wolk announced that the Committee on Human Services would meet today, upon adjournment of Floor session, in Room 3162.

ADJOURN IN MEMORY

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Don Fox, of Brea.

MOTION TO ADJOURN

At 11:21 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Reyes seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Ridley-Thomas, and Vargas, arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:27 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 1, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 104

Assembly Concurrent Resolution No. 173

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolutions ordered to the Consent Calendar.

Committee on Human Services

Date of Hearing: March 1, 2004

Mr. Speaker: Your Committee on Human Services reports:

Senate Concurrent Resolution No. 52

With the recommendation: Be adopted.

WOLK, Chair

Above resolution ordered to second reading.

INTRODUCTION OF GUESTS

Assembly Members Lowenthal and Oropeza introduced Chris J. Steinhauser, Superintendent, Long Beach Unified School District.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9:30 a.m., Thursday, March 4, 2004, out of respect to the memory of Officer Ricardo Lizarraga, on motion of Assembly Member Nakano; out of respect to the memory of Bill McGee, on motion of Assembly Member Wiggins; out of respect to the memory of Lieutenant Dan Jarvis, on motion of Assembly Members Spitzer and Haynes; and out of respect to the memory of Don Fox, on motion of Assembly Member Daucher.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 1, 2004**

The following measure was amended in the Assembly on this day:

SB RN

87 0406013

Daily Total: 1

Cumulative Total: 3175

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 4, 2004

**ONE HUNDRED SIXTY-SECOND SESSION DAY
FOUR HUNDRED FIFTY-NINTH 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, March 4, 2004

The Assembly met at 9:30 a.m.
Hon. Fabian Nunez, Speaker 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 Cox moved a quorum call of the Assembly.
Motion carried. Time, 9:31 a.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 9:37 a.m., Speaker Nunez declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—73:

Aghazarian	Firebaugh	Levine	Plescia
Benoit	Frommer	Lieber	Reyes
Berg	Garcia	Liu	Richman
Bermudez	Goldberg	Longville	Ridley-Thomas
Bogh	Hancock	Lowenthal	Runner
Calderon	Harman	Maddox	Salinas
Campbell	Haynes	Maldonado	Samuelian
Canciamilla	Horton, Jerome	Matthews	Spitzer
Chan	Horton, Shirley	McCarthy	Steinberg
Chavez	Houston	Montanez	Strickland
Chu	Jackson	Mountjoy	Vargas
Cogdill	Keene	Mullin	Wiggins
Cohn	Kehoe	Nakanishi	Wolk
Corbett	Koretz	Nakano	Wyland
Correa	La Malfa	Nation	Yee
Cox	La Suer	Negrete McLeod	Mr. Speaker
Dutra	Laird	Pacheco	
Dutton	Leno	Parra	
Dymally	Leslie	Pavley	

PRAYER

Upon invitation of Speaker Nunez, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord, The life-span of the average person in our society today, has reached 76 years and it is said that Methuselah lived to the age of 970. Yet all these years, Lord, seem as nothing compared to Eternity, which is everlasting and ageless. Our years on this earth are numbered, but You have created our soul to live forever. Help us to live this life according to Your commandments, to prepare us for the eternal rewards in the life to come.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Nunez, Assembly Member Frommer 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 Frommer, 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 legislative business: Assembly Members Bates, Maze, Oropeza, and Wesson.

On personal business, and waiving per diem: Assembly Member Simitian.

Because of illness: Assembly Members Daucher and Diaz.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 2, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be absent from Assembly floor session on Thursday, March 4, 2004. The purpose of my absence will be to conduct legislative business in my district.

Sincerely,

PATRICIA BATES, Assembly Member
Seventy-third District

March 2, 2004

Speaker Fabian Nunez
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez,

I respectfully request your permission to be excused from session on March 4, 2004. I will be on legislative business as President Bush is coming to Kern County, which I represent. I have been invited to attend his speech regarding economic recovery. If you have any questions please call my Chief of Staff, Sam Cannon, in my Capitol Office.

Sincerely,

BILL MAZE, Assembly Member
Thirty-fourth District

February 12, 2004

The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, March 4, 2004, due to legislative business in my district.

Thank you for consideration of this request. Please contact my Chief of Staff, Toni Symonds, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

March 2, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: This is to request permission to be excused from Session on Thursday, March 4, on legislative business.

Sincerely,

HERB J. WESSON, JR.
Speaker Emeritus of the California Assembly

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 2, 2004

*Mr. Dotson Wilson
Assembly Chief Clerk
State Capitol, Room 3196
Sacramento, California*

Dear Mr. Wilson: Please be advised that I wish to decline the increase in the per diem rate that was approved by the State Board of Control. Please make this request effective March 1, 2004. Until the State of California's financial crisis is resolved, I believe it is inappropriate to accept this increase.

Thank you for your attention to this matter. If you have any question regarding this request, please contact my Chief of Staff, Josephine Figueroa in my Capitol Office.

Sincerely,

GENE MULLIN, Assembly Member
Nineteenth District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 4, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 173

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Special Committee on State Mandates, on Monday, March 8, 2004, at 9 a.m.;

Agriculture to convene jointly with the Select Committee on the Future of Farming in California, on Thursday, April 29, 2004;

Select Committee on Coastal Protection, on March 24, 2004, in Room 444.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communications were presented permitting the introduction of Assembly bills:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Nation to introduce a bill relating to workers compensation: firefighters: death benefits. Request No. 0322025.

Assembly Member Nation to introduce a bill relating to building standards. Request No. 0403427.

Assembly Member Nation to introduce a bill relating to emergency communications. Request No. 0403423.

Assembly Member Nation to introduce a bill relating to emergency communications. Request No. 0403409.

Assembly Member Salinas to introduce a bill relating to advertising. Request No. 0405070.

Assembly Member Salinas to introduce a bill relating to IHSS: modes of benefits delivery. Request No. 0403299.

FABIAN NUÑEZ
Speaker of the Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3051—Nation and Vargas. An act to amend Section 5406 of, and to add Section 5406.7 to, the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 3052—Nation and Kehoe. An act to add Section 18941.1 to the Health and Safety Code, relating to building standards.

ASSEMBLY BILL NO. 3053—Nation and Kehoe. An act to add Section 13134 to the Health and Safety Code, relating to emergency communications.

ASSEMBLY BILL NO. 3054—Nation and Kehoe. An act to add Section 13136 to the Health and Safety Code, relating to emergency communications.

ASSEMBLY BILL NO. 3055—Salinas. An act relating to advertising.

ASSEMBLY BILL NO. 3056—Salinas. An act to add Section 12317 to the Welfare and Institutions Code, relating to in-home supportive services.

ASSEMBLY BILL NO. 3057—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 15570 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 3058—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 8330 of the Government Code, relating to information technology.

ASSEMBLY BILL NO. 3059—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 14999.3 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 3060—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 15570 of the Government Code, relating to economic development.

ASSEMBLY BILL NO. 3061—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 7085 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 3062—Committee on Jobs, Economic Development, and the Economy (Ridley-Thomas (Chair), Garcia (Vice Chair), Chan, Shirley Horton, Jackson, Nation, Oropeza, and Yee). An act to amend Section 7071 of the Government Code, relating to enterprise zones.

ASSEMBLY BILL NO. 3063—Committee on Higher Education (Liu (Chair), Pacheco (Vice Chair), Jackson, Matthews, Nakanishi, and Negrete McLeod). An act to amend Section 66801 of the Education Code, relating to community college attendance, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 3064—Committee on Higher Education (Liu (Chair), Pacheco (Vice Chair), Jackson, Matthews, Nakanishi, and Negrete McLeod). An act to add Section 66020 to the Education Code, relating to public postsecondary education.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 190—McCarthy. Relative to emergency medical services.

ASSEMBLY CONCURRENT RESOLUTION NO. 191—Leno. Relative to firefighters.

ASSEMBLY CONCURRENT RESOLUTION NO. 192—Mullin and Corbett. Relative to Irish-American Heritage Month.

ASSEMBLY JOINT RESOLUTION NO. 67—Mountjoy (Coauthors: Bogh, Haynes, La Suer, and Maddox). Relative to same-sex marriage.

ASSEMBLY JOINT RESOLUTION NO. 68—Parra. Relative to the federal child nutrition programs.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1918 -----	P.E.,R. & S.S.
1928 -----	Rev. & Tax.
1939 -----	V.A.
1969 -----	Higher Ed.
2023 -----	H. & C.D.
2039 -----	L. Gov. and Trans.
2041 -----	Trans. and L. Gov.
2062 -----	B. & P.
2149 -----	Hum. S.
2271 -----	Pub. S. and Jud.
2277 -----	E.S. & T.M.
2279 -----	L. Gov. and W.,P. & W.
2280 -----	W.,P. & W.
2283 -----	U. & C.
2284 -----	Trans. and L. Gov.
2285 -----	Health
2288 -----	Pub. S.
2289 -----	Health
2290 -----	L. Gov.
2292 -----	Jud.
2293 -----	Health
2294 -----	Pub. S.
2295 -----	Ed.
2296 -----	G.O.

2299	-----	Nat. Res.
2301	-----	Health
2303	-----	U. & C. and Rev. & Tax.
2307	-----	Health
2308	-----	Pub. S.
2313	-----	Health
2314	-----	P.E.,R. & S.S.
2315	-----	Rev. & Tax.
2316	-----	Ins.
2318	-----	L. Gov.
2319	-----	Jud.
2321	-----	Pub. S.
2323	-----	Ed.
2325	-----	Rev. & Tax.
2327	-----	Ed.
2328	-----	Rev. & Tax.
2333	-----	Jud.
2334	-----	P.E.,R. & S.S.
2335	-----	Ed.
2337	-----	L. Gov.
2338	-----	Pub. S.
2342	-----	E.S. & T.M.
2343	-----	Ed.
2345	-----	Ins.
2346	-----	Rev. & Tax.
2347	-----	Jud.
2350	-----	L. & E.
2353	-----	Trans.
2354	-----	Health
2355	-----	P.E.,R. & S.S.
2356	-----	Budget
2357	-----	Rev. & Tax.
2358	-----	Jud.
2359	-----	Ed.
2360	-----	Ed.
2361	-----	Ed.
2362	-----	Ed. and Jud.
2363	-----	Jud.
2365	-----	Rev. & Tax.
2368	-----	Aging & L.T.C.
2370	-----	Ed.
2371	-----	Jud.
2372	-----	Trans.
2375	-----	B. & P.
2376	-----	H. & C.D. and Jud.
2377	-----	Trans.
2378	-----	W.,P. & W.
2380	-----	Jud.
2382	-----	Ed.
2383	-----	Pub. S.
2384	-----	Ins.
2388	-----	Nat. Res.
2389	-----	Health
2390	-----	B. & P.

- 2391 ----- P.E.,R. & S.S.
- 2392 ----- B. & P.
- 2394 ----- Ed.
- 2395 ----- Pub. S.
- 2396 ----- Jud.
- 2397 ----- B. & P.
- 2399 ----- Ins.
- 2401 ----- G.O.
- 2402 ----- L. & E.
- 2403 ----- Pub. S.
- 2404 ----- Jud.
- 2405 ----- Ed.
- 2407 ----- Ed.
- 2408 ----- P.E.,R. & S.S.
- 2409 ----- B. & P.
- 2410 ----- B. & P.
- 2412 ----- Ins.
- 2413 ----- Ed.
- 2416 ----- Ed.
- 2417 ----- Pub. S.
- 2419 ----- Jud.
- 2420 ----- Nat. Res.
- 2425 ----- P.E.,R. & S.S.
- 2426 ----- Ins.
- 2427 ----- Ins.
- 2428 ----- Pub. S.
- 2429 ----- Health
- 2431 ----- Pub. S.
- 2432 ----- U. & C.
- 2433 ----- G.O.
- 2434 ----- Trans.
- 2435 ----- Ed.
- 2436 ----- B. & P.
- 2437 ----- L. Gov.
- 2438 ----- L. Gov.
- 2440 ----- Pub. S.
- 2441 ----- Ins.
- 2442 ----- Rev. & Tax.
- 2444 ----- Ins.
- 2445 ----- Health and Trans.
- 2446 ----- Ed.
- 2450 ----- Pub. S.
- 2451 ----- E.,R. & C.A.
- 2453 ----- Ed.
- 2454 ----- E.,R. & C.A.
- 2455 ----- Ed.
- 2458 ----- Trans.
- 2459 ----- Trans.
- 2461 ----- Ed.
- 2463 ----- J., E.D. & E. and Rev. & Tax.
- 2464 ----- B. & P.
- 2465 ----- E.S. & T.M.
- 2467 ----- Pub. S.
- 2469 ----- Higher Ed.

2477	-----	Higher Ed.
2478	-----	Agri.
2480	-----	Rev. & Tax.
2481	-----	J., E.D. & E.
2482	-----	B. & P.
2490	-----	Ins.
2492	-----	Jud.
2493	-----	Health
2494	-----	Health
2495	-----	Ins.
2496	-----	Hum. S.
2498	-----	Trans.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
65	-----	W.,P. & W.

House

<i>Resolution No.</i>		<i>Committee</i>
43	-----	Rls.
44	-----	Rls.

Senate

<i>Bill No.</i>		<i>Committee</i>
1091	-----	L. Gov.
1092	-----	L. Gov.
1093	-----	L. Gov.

AUTHOR'S AMENDMENTS**Committee on Business and Professions**

March 4, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Concurrent Resolution No. 144

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 144—Relative to Feng Shui.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS**Committee on Health**

March 4, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 1844

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 1844—An act to amend Section 127671 of the Health and Safety Code, relating to health care.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 4, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Concurrent Resolution No. 142

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 142—Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 4, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1837

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 1837—An act to amend Sections 6101 and 6105 of the Public Resources Code, relating to the State Lands Commission.

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 Revenue and Taxation

March 4, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 1791

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERMUDEZ, Chair

ASSEMBLY BILL NO. 1791—An act to amend Sections 65001 and 65004 of the Revenue and Taxation Code, relating to taxation, 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.

AUTHOR'S AMENDMENTS
Committee on Appropriations

March 4, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:

Senate Bill No. 574

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

SENATE BILL NO. 574—An act to amend Sections 22792 and 22793 of, and to add Sections 22793.3 and 22793.4 to, the Government Code, relating to the Public Employees' Medical and Hospital Care Act.

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.

REPORTS OF STANDING COMMITTEES
Committee on Rules

Date of Hearing: March 4, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 174

Assembly Concurrent Resolution No. 176

Assembly Concurrent Resolution No. 181

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolutions ordered to the Consent Calendar.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Senate Bill No. 530, on request of Assembly Member Strickland.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 31 be removed from the inactive file.

JOINT RULE 62(a) WAIVED

Assembly Member Frommer was granted unanimous consent that Joint Rule 62(a) be waived to permit the Special Committee on State Mandates to meet on March 8, 2004, at 9 a.m.

At 9:41 a.m., Speaker pro Tempore Leland Y. Yee, 12th District, presiding

ASSEMBLY RULE 118 SUSPENDED—PRIVILEGES OF THE FLOOR

Assembly Member Dutra was granted unanimous consent that Assembly Rule 118 be suspended granting the privileges of the Floor and permitting a guest to sit at his desk in the Assembly Chamber, whereupon he introduced Alberto Torrico.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

THIRD READING OF SENATE BILLS

SENATE CONCURRENT RESOLUTION NO. 52 (Alpert)—Relative to Family Empowerment Month.

Resolution read, and presented by Assembly Member Wolk.

Members Made Coauthors of Senate Concurrent Resolution No. 52

Assembly Member Wolk was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 52.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Benoit, Berg, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Cogdill, Corbett, Correa, Cox, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Runner, Salinas, Samuelian, Spitzer, Steinberg, Strickland, Vargas, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Wolk was granted unanimous consent to take up Senate Concurrent Resolution No. 52, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 52, as Amended

SENATE CONCURRENT RESOLUTION NO. 52—Relative to Family Empowerment Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and 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 Resolution

ASSEMBLY CONCURRENT RESOLUTION NO. 159 (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.)*

Consent Calendar—Senate Resolutions

SENATE CONCURRENT RESOLUTION NO. 57 (Margett)—Relative to “Go Red for Women 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.)*

SENATE JOINT RESOLUTION NO. 17 (Morrow)—Relative to veterans.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—68

Aghazarian	Firebaugh	Leslie	Pacheco
Benoit	Frommer	Levine	Parra
Berg	Garcia	Lieber	Pavley
Bogh	Goldberg	Liu	Plescia
Calderon	Hancock	Longville	Reyes
Campbell	Harman	Lowenthal	Richman
Canciamilla	Haynes	Maddox	Runner
Chan	Horton, Jerome	Maldonado	Salinas
Chavez	Houston	Matthews	Samuelian
Chu	Jackson	McCarthy	Spitzer
Cogdill	Keene	Montanez	Steinberg
Corbett	Kehoe	Mountjoy	Strickland
Correa	Koretz	Mullin	Vargas
Cox	La Malfa	Nakanishi	Wolk
Dutra	La Suer	Nakano	Wyland
Dutton	Laird	Nation	Yee
Dymally	Leno	Negrete McLeod	Mr. Speaker

NOES—None**ADJOURN IN MEMORY**

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Talmage Burke, of Alhambra.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sallie Maranda Fiske, of West Hollywood.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mike Tamony, of Pacifica.

(Assembly Rule 45.5 suspended.)

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 Monsignor Michael James Lucid, of San Leandro.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Monday, March 8, 2004—Floor Session, 11 a.m.;
Tuesday, March 9 and Wednesday, March 10—No Session.

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 Sarah Zimmerman-Conner, of Castro Valley.

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 Fern Olson, of Monrovia.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Austin Jordan, of Lancaster.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following item:

Consent Calendar: Bogh, Chavez, Jackson, McCarthy, and Spitzer—Aye.

MOTION TO ADJOURN

At 9:57 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes and Vargas arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:02 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

LAST DAY TO CONSIDER GOVERNOR'S VETOES

Pursuant to Joint Rule 58.5, today was the last day to consider the Governor's veto of Assembly Bills Nos. 1219, 526, 899, and 1245.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, March 8, 2004, out of respect to the memory of Talmage Burke, on motion of Assembly Member Chu; out of respect to the memory of Sallie Maranda Fiske, on motion of Assembly Member Koretz; out of respect to the memory of Mike Tamony, on motion of Assembly Member Mullin; out of respect to the memory of Monsignor Michael James Lucid, on motion of Assembly Member Corbett; out of respect to the memory of Fern Olson, on motion of Assembly Member Mountjoy; out of respect to the memory of Sarah Zimmerman-Conner, on motion of Assembly Member Corbett; and out of respect to the memory of Austin Jordan, on motion of Assembly Member Runner.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 4, 2004

The following measures were amended in the Assembly on this day:

AB RN

1791 0406037

1837 0406128

1844 0406094

ACR RN

142 0406158

144 0406032

SB RN

574 0406072

Daily Total:	6
Cumulative Total:	3181

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 8, 2004

**ONE HUNDRED SIXTY-THIRD SESSION DAY
FOUR HUNDRED SIXTY-THIRD 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, March 8, 2004

The Assembly met at 11 a.m.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Reyes 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 11:08 a.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—67:

Aghazarian	Firebaugh	Liu	Plescia
Benoit	Garcia	Lowenthal	Reyes
Berg	Hancock	Maddox	Richman
Bermudez	Haynes	Maldonado	Ridley-Thomas
Bogh	Horton, Jerome	Matthews	Runner
Calderon	Horton, Shirley	Maze	Samuelian
Canciamilla	Houston	McCarthy	Simitian
Chu	Jackson	Montanez	Spitzer
Cogdill	Keene	Mountjoy	Steinberg
Cohn	Koretz	Mullin	Strickland
Corbett	La Malfa	Nakanishi	Vargas
Correa	La Suer	Nakano	Wiggins
Cox	Laird	Nation	Wolk
Daucher	Leno	Negrete McLeod	Wyland
Dutra	Leslie	Oropeza	Yee
Dutton	Levine	Pacheco	Mr. Speaker
Dymally	Lieber	Parra	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

O Lord, Our God, You are faithful in Your words and truthful in Your promises. You call all of us to fight the good fight, to fulfill the course of godliness and to keep the true faith. Will You, Lord, grant us a share of Your inheritance, that being followers of Your commandments, we may obtain the good things which await Your faithful servants. For You are merciful, You love mankind, and we glorify You.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Wolk 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 Calderon, 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 legislative business: Assembly Members Chan, Chavez, Kehoe, Longville, Pavley, and Wesson.

On personal business, and waiving per diem: Assembly Members Campbell, Diaz, Frommer, and Goldberg.

Because of illness: Assembly Member Salinas.

Due to travel delays: Assembly Members Bates and Harman.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 5, 2004

*The Honorable Fabian Nunez, Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Speaker Nunez: I am requesting to be excused from Floor Session on Monday, March 8, 2004, due to legislative business taking place in my district.

Your attention to this matter is appreciated.

Sincerely,

WILMA CHAN, Assembly Member
Sixteenth District

March 4, 2004

The Honorable Fabian Nunez
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I respectfully request that I be excused from session on Monday, March 8, 2004. The purpose is to tend to legislative business in my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

March 4, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Monday, March 8, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

March 8, 2004

The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I respectfully request to be excused from this morning's session due to legislative business.

Thank you in advance for your consideration of this matter. Please feel free to contact Traci Holt in my office, should you have any questions.

Respectfully,

JOHN LONGVILLE, Assembly Member
Sixty-second District

March 4, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on Monday, March 8, 2004, due to legislative business in my district.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member
Forty-first District

March 8, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Fabian: This is to request permission to be excused from Session on Monday, March 8, on legislative business.

Sincerely,

HERB J. WESSON, Jr.
Speaker Emeritus of the California Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Final Audit Report on the Renewable Resource Trust Fund for
the Fiscal Year Ended June 30, 2003
(Pursuant to Public Utilities Code Section 445(g))**

Above transmitted report, together with letter of transmittal from Samuel E. Hull, Chief, Office of State Audits and Evaluations, Department of Finance, dated February 27, 2004, referred by the Speaker to the Committee on Utilities and Commerce.

**Taxpayer's Bill of Rights—Annual Certification
(Pursuant to Revenue and Taxation Code Section 21008)**

Above transmitted report, together with letter of transmittal from Gerald H. Goldberg, Executive Officer, Franchise Tax Board, dated March 1, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**Exemption of Pregnant and Parenting Teens from
the 10 Percent Limit on Independent Study
in Continuation Schools and Opportunity Education
(Pursuant to Education Code Section 51745.1)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated February 10, 2004, referred by the Speaker to the Committee on Education.

**California's Access to Visitation Grant Program for
Enhancing Responsibility and Opportunity for Nonresidential Parents
Fiscal Years 2002–2003 and 2003–2004
(Pursuant to Family Code Section 3204(d))**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated March 1, 2004, referred by the Speaker to the Committee on Judiciary.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1791

Assembly Bill No. 1837

Assembly Bill No. 1844

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 142

Assembly Concurrent Resolution No. 144

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 8, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 174

Assembly Concurrent Resolution No. 176

Assembly Concurrent Resolution No. 181

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered to the Consent Calendar.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Special Committee on State Mandates, on Monday, March 15, 2004 and March 22, 2004, at 9 a.m., in Room 447;

Banking and Finance, on Wednesday, March 31, 2004, at 1:30 p.m., in Room 126.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communications were presented permitting the introduction of Assembly bills:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize:

Assembly Member Dymally to introduce a bill relating to general plans. Request No. 0403416.

Assembly Member Oropeza to introduce a bill relating to fire protection: staffing. Request No. 0403453.

Assembly Member Chavez to introduce a bill relating to fire protection. Request No. 0403440.

Assembly Member Chavez to introduce a bill relating to fire protection. Request No. 0403430.

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3065—Dymally. An act to add Section 65302.4 to the Government Code, relating to general plans.

ASSEMBLY BILL NO. 3066—Oropeza and Kehoe. An act to add Section 13053.5 to the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 3067—Chavez and Kehoe. An act to add Section 13012 to the Health and Safety Code, relating to fire protection.

ASSEMBLY BILL NO. 3068—Chavez and Kehoe. An act to add Section 8589.23 to the Government Code, relating to fire protection.

ASSEMBLY BILL NO. 3069—Committee on Revenue and Taxation (Bermudez (Chair), Wyland (Vice Chair), Harman and Laird). An act to add Chapter 1.9 (commencing with Section 1900) to Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

ASSEMBLY BILL NO. 3070—Committee on Banking and Finance (Wiggins (Chair), Bogh (Vice Chair), Calderon, Chan, Chavez, Corbett, Correa, Cox, Houston, Montanez, Strickland, and Vargas). An act to amend Sections 25102.1 and 25532 of, and to repeal Section 28506 of, the Corporations Code, and to amend Section 22337 of the Financial Code, relating to securities.

ASSEMBLY BILL NO. 3071—Committee on Revenue and Taxation (Bermudez (Chair), Wyland (Vice Chair), Harman and Laird). An act to amend Section 18533 of the Revenue and Taxation Code, relating to taxation.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1839 -----	Jud.
1935 -----	Rev. & Tax.
1950 -----	Jud.
2013 -----	Hum. S.
2063 -----	L. Gov.
2068 -----	Pub. S.
2078 -----	Pub. S.
2136 -----	Pub. S. and Health
2169 -----	Jud.
2188 -----	Hum. S.
2207 -----	B. & P.
2219 -----	Pub. S.
2223 -----	Pub. S.
2272 -----	L. Gov. and G.O.
2298 -----	W.,P. & W. and B. & P.
2317 -----	L. & E.
2329 -----	L. Gov.
2340 -----	Trans.

2501	-----	Pub. S.
2502	-----	Jud.
2503	-----	Trans.
2505	-----	U. & C.
2507	-----	B. & P.
2509	-----	U. & C.
2510	-----	Health and Jud.
2511	-----	G.O.
2512	-----	Ed.
2514	-----	Nat. Res.
2516	-----	Jud.
2517	-----	W.,P. & W.
2518	-----	W.,P. & W.
2519	-----	W.,P. & W.
2520	-----	Ins.
2522	-----	Trans.
2523	-----	Jud.
2524	-----	J., E.D. & E.
2525	-----	Ed.
2526	-----	Trans.
2527	-----	Pub. S.
2528	-----	E.S & T.M.
2531	-----	Pub. S.
2535	-----	G.O. and Ed.
2537	-----	Jud.
2538	-----	G.O.
2539	-----	U. & C.
2540	-----	V.A.
2542	-----	Pub. S.
2545	-----	L. & E.
2546	-----	Rev. & Tax.
2547	-----	Health and Trans.
2548	-----	Hum. S.
2549	-----	Jud.
2550	-----	Hum. S.
2552	-----	B. & P.
2553	-----	Pub. S.
2554	-----	P.E.,R. & S.S.
2557	-----	Ins. and Pub. S.
2558	-----	L. Gov.
2559	-----	Ed.
2562	-----	B. & P.
2563	-----	Pub. S.
2564	-----	J., E.D. & E.
2566	-----	Trans.
2567	-----	Ed.
2568	-----	Trans. and Pub. S.
2569	-----	Ed.
2570	-----	Ed.
2572	-----	W.,P. & W. and B. & P.
2574	-----	Higher Ed.
2575	-----	P.E.,R. & S.S.
2579	-----	G.O.
2581	-----	H. & C.D.

2582	-----	Jud.
2583	-----	Jud.
2584	-----	Ed.
2586	-----	Pub. S.
2592	-----	Rev. & Tax.
2593	-----	U. & C.
2594	-----	Jud.
2596	-----	Ed.
2597	-----	Rev. & Tax.
2599	-----	Jud.
2600	-----	Nat. Res. and E.S. & T.M.
2606	-----	Trans.
2614	-----	Ed.
2615	-----	Higher Ed.
2627	-----	Jud.
2628	-----	Trans.
2629	-----	Hum. S.
2632	-----	Health
2633	-----	E.S. & T.M.
2634	-----	L. Gov.
2636	-----	W.,P. & W.
2637	-----	Higher Ed.
2638	-----	G.O.
2639	-----	Ins.
2640	-----	Pub. S.
2641	-----	L. Gov.
2643	-----	U. & C. and Nat. Res.
2644	-----	Trans.
2645	-----	Hum. S. and Jud.
2646	-----	Rev. & Tax.
2647	-----	Ed.
2649	-----	Ins.
2650	-----	Jud.
2652	-----	U. & C. and Nat. Res.
2653	-----	Trans.
2656	-----	Jud.
2657	-----	Nat. Res.
2658	-----	Nat. Res.
2659	-----	W.,P. & W.
2661	-----	Hum. S.
2662	-----	Jud.
2664	-----	Ed.
2668	-----	W.,P. & W.
2669	-----	Jud.
2673	-----	Nat. Res.
2674	-----	Jud.
2677	-----	Ins.
2678	-----	Higher Ed.
2680	-----	P.E.,R. & S.S.
2683	-----	Trans.
2684	-----	Health
2685	-----	U. & C. and Nat. Res.
2686	-----	Ed.
2687	-----	Jud.

2689	-----	Jud.
2691	-----	Jud.
2692	-----	P.E.,R. & S.S.
2693	-----	B. & F.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
185	----- Trans.
186	----- Rls.
190	----- Rls.
192	----- Rls.

**AUTHOR’S AMENDMENTS
Committee on Judiciary**

March 8, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1811

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1811—An act to amend Section 1798.85 of the Civil Code, relating to privacy.

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 Water, Parks and Wildlife**

March 8, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1805

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

CANCIAMILLA, Chair

ASSEMBLY BILL NO. 1805—An act relating to farm-raised salmon.

Bill read second time; author’s amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR’S AMENDMENTS
Committee on Transportation**

March 8, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 152

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 152—Relative to Michael P. Evanhoe Interchange.

Resolution read; author’s amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Governmental Organization

March 8, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:
 Assembly Bill No. 1831

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1831—An act to amend Section 8592.9 of the Government Code, relating to homeland security, and making an appropriation therefor.

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 Business and Professions

March 8, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
 Senate Bill No. 301

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

SENATE BILL NO. 301—An act to add Chapter 3.2 (commencing with Section 8251) to Division 1 of Title 2 of the Government Code, relating to the Commission on Latino/Latina Affairs.

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 TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 1618

Assembly Member Firebaugh was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 1618; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on February 26, 2004 (Assembly Journal, page 4687); and whereby on February 24, 2004 (Assembly Journal, page 4663), the Assembly adopted the urgency clause and concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

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. 104 (Pavley)—Relative to Day of the Teacher.

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. 173 (McCarthy)—Relative to California Nonprofits and Philanthropy 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.)

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—65

Aghazarian	Firebaugh	Liu	Reyes
Benoit	Garcia	Lowenthal	Richman
Berg	Hancock	Maddox	Ridley-Thomas
Bermudez	Haynes	Maldonado	Runner
Bogh	Horton, Jerome	Matthews	Samuelian
Calderon	Horton, Shirley	Maze	Simitian
Canciamilla	Houston	McCarthy	Spitzer
Chu	Jackson	Mountjoy	Steinberg
Cogdill	Keene	Mullin	Vargas
Cohn	Koretz	Nakanishi	Wiggins
Corbett	La Malfa	Nakano	Wolk
Correa	La Suer	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Oropeza	Mr. Speaker
Dutra	Leslie	Pacheco	
Dutton	Levine	Parra	
Dymally	Lieber	Plescia	

NOES—None

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Alice Uecker, of Oroville.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Benoit and Garcia were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Levi Butler, of La Quinta.

Assembly Member Dutra was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his brother, Joseph Bosco Dutra, Sr., of Greenville.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ann Pettit, of Markleeville.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hilma Rose, of Sacramento.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles "Charley" Soderquist, of Sacramento; and Anna Marie Van Blaricom, of Benicia.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 31, on request of Assembly Member Frommer.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following item:

Consent Calendar: Correa, Daucher, Jerome Horton, Houston, Koretz, Maddox, Oropeza, Samuelian, Simitian, Spitzer, and Wiggins—Aye.

MOTION TO ADJOURN

At 11:21 a.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Bogh, Vargas, Reyes, and Leslie arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Calderon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:32 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES**Committee on Rules**

Date of Hearing: March 8, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 190

Assembly Concurrent Resolution No. 192

House Resolution No. 44

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolutions ordered to third reading.

INTRODUCTION OF GUESTS

Assembly Member Leslie, of the 4th Assembly District, introduced Dr. Dong Zhe, Director of International Corporation Program for Peking University, Beijing, China; Dr. Zhu Jinyou; Mr. Martin Harmon; and Mr. Peter Zhang.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 10 a.m., Thursday, March 11, 2004, out of respect to the memory of Alice Uecker, on motion of Assembly Member Mountjoy; out of respect to the memory of Levi Butler, on motion of Assembly Members Benoit and Garcia; out of respect to the memory of Ann Pettit, on motion of Assembly Member Leslie; out of respect to the memory of Hilma Rose, on motion of Assembly Member Steinberg; out of respect to the memory of Charles "Charley" Soderquist and Anna Marie Van Blaricom, on motion of Assembly Member Wolk; and out of respect to the memory of Joseph Bosco Dutra, Sr., on motion of Assembly Member Dutra.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 8, 2004**

The following measures were amended in the Assembly on this day:

AB RN

1805 0405598

1811 0405726

1831 0406152

ACR RN

152 0406241

SB RN

301 0405644

Daily Total: 5**Cumulative Total: 3186**

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 11, 2004

**ONE HUNDRED SIXTY-FOURTH SESSION DAY
FOUR HUNDRED SIXTY-SIXTH 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, March 11, 2004

The Assembly met at 10 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Francesca Vega reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 10:01 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 10:08 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	Dutton	Leslie	Parra
Bates	Dymally	Levine	Pavley
Benoit	Firebaugh	Lieber	Plescia
Berg	Frommer	Liu	Reyes
Bermudez	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Campbell	Hancock	Maddox	Runner
Canciamilla	Harman	Maldonado	Salinas
Chan	Haynes	Matthews	Samuelian
Chavez	Horton, Jerome	Maze	Simitian
Chu	Horton, Shirley	McCarthy	Spitzer
Cogdill	Houston	Montanez	Steinberg
Cohn	Jackson	Mountjoy	Strickland
Corbett	Keene	Mullin	Vargas
Correa	Koretz	Nakanishi	Wesson
Cox	La Malfa	Nakano	Wolk
Daucher	La Suer	Nation	Wyland
Diaz	Laird	Negrete McLeod	Yee
Dutra	Leno	Pacheco	Mr. Speaker

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Father Donal Burke, Order of the Friars Minor, Capuchin, from Our Lady of Angels Church, in Burlingame:

Almost 1500 years ago, St. Patrick allegedly wrote a prayer. Many of you could have written it yourselves. I'll pray it with you now:

May you always have:
 God's Strength to direct you.
 God's Power to protect you
 God's Wisdom to guide you
 God's Shield to guard you
 God's Eye for discerning
 God's Ear for hearing
 God's Hand to uphold you
 God's Road to pass over
 God's Spirit to guide you

And now I'll say to you all—as we say in Gaelic,
 “Slan Libh”—Goodbye.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member McCarthy 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 Frommer, 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 legislative business: Assembly Members Calderon, Kehoe, and Oropeza.

To attend a funeral in the District: Assembly Member Wiggins.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 8, 2004

*The Honorable Fabian Nunez
 Speaker of the Assembly
 State Capitol
 Sacramento, California*

Dear Mr. Speaker: I am writing today to request to be excused from Session on March 11, 2004 to attend legislative business in my district. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member
 Fifty-eighth District

March 10, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, March 11, 2004 due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Thursday, March 11, 2004, due to legislative business in my district.

Thank you for consideration of this request. Please contact my Chief of Staff, Toni Symonds, if you have any questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

COMMUNICATIONS

The following communication was presented by the Speaker, and ordered printed in the Journal:

March 10, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I appointed Assemblymember John Laird to replace Assemblymember Christine Kehoe on the Assembly Rules Committee for the Thursday, March 11, 2004 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

The following communication was presented by the Chief Clerk from:

Paul Helliker, Director, Department of Pesticide Regulation, dated March 5, 2004, relative to a delay in submitting a report on Well Sampling for Pesticide Active Ingredients (required pursuant to Food and Agricultural Section 13152).

Referred by the Speaker to the Committee on Agriculture.

Proposed Initiatives

The following communication was presented by the Chief Clerk from:

Michelle L. Levy, Senior Legal Analyst, Department of Justice, Office of the Attorney General, dated March 5, 2004, transmitting copies of the title, summary and text of the following proposed initiative, pursuant to Section 9007, Elections Code:

Compensation for Injured Workers.**Limits on Eligibility for Benefits, Medical Treatment.****Initiative Constitutional Amendment and Statute. SA 2004RF0002**

Referred by the Speaker to the Committee on Insurance.

REPORTS

The following reports were presented by the Chief Clerk:

**Deceased Residents of State Hospitals and Developmental Centers
Patient Identification and Cemetery Restoration Status Update Report
(Pursuant to Senate Bill 1448, Chapter 440, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated March 1, 2004, referred by the Speaker to the Committee on Health.

**2002-03 Emergency Medical Services Fund (EMS) Reports
(Pursuant to Health and Safety Code Section 1797.98B(a)) from:**

Merced County, Department of Public Health, Lizabeth Smith, Support Services Analyst II, dated February 27, 2004;

County of Santa Cruz, Health Services Agency, Robert J. Varty, Medical Care Program Administrator, dated February 27, 2004;

Mariposa County Public Health Department, Charles B. Mosher, MD, MPH, Health Officer, dated March 2, 2004;

Solano County, Michael Frenn, EMS Administrator, dated March 8, 2004.

Referred by the Speaker to the Committee on Health.

**Certified Disabled Veteran Business Enterprise (DVBE),
Small Business Contracting Activity and/or Race, Ethnicity, and
Gender Business Ownership Reports from:**

California State Personnel Board, Laura M. Aguilera, Acting Executive Officer, dated September 22, 2003;

Department of Pesticide Regulation, Paul Helliker, Director, dated January 13, 2004;

Office of the Treasurer, Hugo Lopez, Director, Administration Division, dated March 2, 2004.

Referred by the Speaker to the Committee on Utilities and Commerce.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1805

Assembly Bill No. 1811

Assembly Bill No. 1831

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 11, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 152

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 11, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 190

Assembly Concurrent Resolution No. 192

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Governmental Organization, on Thursday, March 18, 2004, in Room 4202;

Select Committee on Professional Sports, on Friday, March 19, 2004, at 10 a.m., in Los Angeles;

Joint Legislative Audit Committee, on Monday, April 19, 2004, upon adjournment of Floor Session, in Room 444;

Judiciary, on Tuesday, March 23, 2004, at 9 a.m., in Room 4202.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3072—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 17076 of, and to add Section 17049 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3073—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 23802 of the Revenue and Taxation Code, relating to taxation, to take effect immediately.

ASSEMBLY BILL NO. 3074—Committee on Revenue and Taxation (Bermudez (Chair), Harman, Laird, and Leno). An act to amend Section 214.2 of the Revenue and Taxation Code, relating to property taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3075—Committee on Revenue and Taxation (Bermudez (Chair), Wyland (Vice Chair), Laird, and Leno). An act to amend Sections 69.4, 214, 214.01, 214.02, 214.5, 214.8, and 214.14 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 3076—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Section 22003 of the Education Code, relating to state teachers' retirement.

ASSEMBLY BILL NO. 3077—Committee on Local Government (Salinas (Chair), Lieber (Vice Chair), Daucher, Garcia, La Suer, Leno, Mullin, Steinberg, and Wiggins). An act to amend Sections 54975, 56077, and 57120 of the Government Code, relating to local government reorganization.

ASSEMBLY BILL NO. 3078—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Sections 116.410, 411.20, 1005, 2024, and 2034 of the Code of Civil Procedure, relating to procedure.

ASSEMBLY BILL NO. 3079—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Sections 71622 and 72190 of, and to repeal Section 72407 of, the Government Code, relating to subordinate judicial officers.

ASSEMBLY BILL NO. 3080—Committee on Judiciary (Corbett (Chair), Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg). An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

ASSEMBLY BILL NO. 3081—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, Pacheco, and Steinberg). An act to amend Sections 6202, 17083, and 17550.47 of the Business and Professions Code, to amend Section 47 of the Civil Code, to amend Sections 93, 94, 116.310, 116.770, 437c, 485.230, 708.020, 708.030, 1005, 1141.16, 1141.24, 1283.05, 1775.11, 1985.3, 1985.6, 1987.5, 1991.1, and 2093 of, to add Title 4 (commencing with Section 2016.010) to Part 4 of, and to repeal Article 3 (commencing with Section 2016) of Chapter 3 of Title 3 of Part 4 of, the Code of Civil Procedure, to amend Sections 45312, 87675, 87679, and 88131 of the Education Code, to amend Sections 915, 1156, 1156.1, and 1560 of the Evidence Code, to amend Sections 3110.5, 3666, and 4331 of the Family Code, to amend Sections 309 and 5934 of the Fish and Game Code, to amend Sections 6276.04, 11045, 11187, 11189, 11511, 12972, 18671, 68092.5, and 68616 of the Government Code, to amend Sections 5710 and 6613 of the Labor Code, to amend Sections 186.11, 1054.6, and 1524 of the Penal Code, to amend Sections 451 and 452 of the Probate Code, to amend Section 20104.4 of the Public Contract Code, to amend Sections 3357 and 3769 of the Public Resources Code, to amend Section 1794 of the Public Utilities Code, to amend Section 25110 of the Revenue and Taxation Code, to amend Section 3050.1 of the Vehicle Code, and to amend Section 1100 of the Water Code, relating to civil discovery.

ASSEMBLY BILL NO. 3082—Committee on Judiciary (Corbett (Chair), Harman (Vice Chair), Bates, Hancock, Jackson, Laird, Lieber, Longville, Montanez, Pacheco, and Steinberg). An act to amend Sections 511.3, 853, 2241.5, 2260, 3651, 4052, 4311, 4409, 4980.90, 7026.1, 7028, 12107.1, 13570, 17529.1, 17538.45, 17550.30, 17593, 18824, 18897.73, 22575, and 25503.4 of the Business and Professions Code, to amend Sections 51.10, 56.26, 800.100, 1102.16, 1103, 1542, 1785.30, 1786.24, 1789.21, 1798.83, 1798.85, 1799.1b, 1812.701, 1865, 2945.3, 2982, 2985.8, and 2988.9 of, and to amend and renumber Sections 1747.8 and 1747.9 of, the Civil Code, to amend Sections 715.010, 995.640, 1021.8, 1563, 1822.60, and 2023 of the Code of Civil Procedure, to amend Sections 2207, 13401.5, and 14010 of, and to amend and renumber Section 17655 of, the Corporations Code, to amend Sections 8266.1, 8813, 8825, 17077.45, 17334, 17360, 22852, 22854, 27403, 32265, 42238.41, 44279.2, 44328, 44735, 44830.3, 47634, 48200.7, 49414.5, 49452.6, 52015, 52054, 52055.615, 52055.625, 52055.655, 52128, 60061.8, 60640, 64201, 66271.8, 67359.13, 88033, 89539.2, 94779, 94901, 94944, 94990, and 99235 of the Education Code, to amend Sections 11105, 14310, and 18541 of the Elections Code, to amend Sections 917 and 956.5 of the Evidence Code, to amend Sections 4962 and 17600 of the Family Code, to amend Sections 216.3, 258, 645, 690, 777.5, 867, 1753, 1807, 1908, 3804, 14401, and 50122 of the Financial Code, to amend Sections 206, 1570, 1572, 1613, 7149.2, 7361, 7362, and 12011 of the Fish and Game Code, to amend Sections 6047.4, 6047.82, 27680, 27681, 27686, 27690, 30801, 52489, 65520, 66572, 66663, 74028, 78302, and 78690 of the Food and Agricultural Code, to amend Sections 912.8, 1091.4, 6254, 6254.17, 7072, 8220, 8592.4, 8869.84, 8880.325, 10205.1, 12012.30, 12080.3, 12598, 13995.20, 13995.40, 13995.42, 13995.58, 13995.65, 13995.74, 13997.1, 14055.2, 18215, 19063.1, 19582.1, 19826, 20035.2, 20035.3, 20035.4, 20035.10, 20235, 22013.97, 22825.12, 25358, 29550, 30061, 31520.5, 31755, 31762, 31776.3, 50061, 53088.2, 53895.5, 54222, 63049.4, 65919, 68085.5, 68086, 69927, 71806, 71828, 77202, and 95000 of, and to amend and renumber Sections 6215 and 20035.5 of, the Government Code, to amend Sections 138.6, 444.20, 1255, 1367.04, 1375.7, 1569.30, 1569.70, 1596.816, 1794.04, 11758, 13108.5, 17037.5, 17921.9, 17991, 25117.4.1,

25121.3, 25160.6, 25184.1, 25201.1, 25210.6, 25360.6, 25501, 32111, 33320.8, 33492.40, 39011.5, 39614, 39661, 40500.5, 40724.6, 41514.1, 41855.6, 50517.9, 51615, 53533, 101625, 104558, 106010, 115005, 121010, 127670, 127671, 127760, and 128401 of, to amend the heading of Chapter 8 (commencing with Section 127670) of Part 2 of Division 107 of, and to amend and renumber Sections 35987, 35988, 35989, 35990, and 35991 of, the Health and Safety Code, to amend Sections 881, 1063.53, 1067.08, 1104.9, 1280.7, 1776, 1861.025, 10113.2, 10133.56, 10133.8, 10178.4, 10764, 12144, 12671, 12693.55, 12975.7, 12975.8 of, and to amend and renumber Section 10089.45 of, the Insurance Code, to amend Sections 98.2, 141, 143.2, 2140.5, 2160.1, 2190, 2190.2, 2200, 2210, 3099, 3600.1, and 7304 of, and to amend and renumber Section 4610 of, the Labor Code, to amend Sections 186.8, 330b, 330.7, 597b, 597c, 1372, 1463.010, 6245, 11171, 11502, 12021, and 13864 of the Penal Code, to amend Sections 858, 6242, 19403, 20114.5, and 21320 of the Probate Code, to amend Sections 6106.5 and 10295.3 of the Public Contract Code, to amend Sections 2755, 2802, 3305, 3324, 5079.50, 14509.3, 14552.5, 14581, 30610.3, 36725, 40000, 41732, 42330, 42463, 42475.2, 45000, 45010, 50000, and 71210 of, and to amend the headings of Article 1 (commencing with Section 32630), Article 2 (commencing with Section 32633), Article 3 (commencing with Section 3269), Article 4 (commencing with Section 32657), and Article 5 (commencing with Section 32661) of Division 22.9 of, the Public Resources Code, to amend Sections 280.5, 353.2, 372, 374, 377.2, 379.6, 396, 399.12, 1701.3, and 21670.1 of the Public Utilities Code, to amend Sections 97.313, 155.20, 3691.6, 6077, 6361.1, 9405, 17132.6, 18407, 19164, 19179, 19777, 23036, 23736.1, 46622, and 55337 of the Revenue and Taxation Code, to amend Sections 104.7, 3114.5, 5101, 8833, 10100.2, and 31071 of the Streets and Highways Code, to amend Sections 2610, 3305, and 10200 of the Unemployment Insurance Code, to amend Sections 2813.5, 3072, 9250.13, 9400.1, 9400.3, 9951, 11515.2, 12509, 22100, 25803, 31032.1, 34620, and 35401.7 of the Vehicle Code, to amend Sections 1552, 13269, 13368, 13387, 13610, 13611, 13611.5, 36153, 72303, 78688, 79532, and 79561.5 of, and to amend and renumber Section 12749.95 of the Water Code, to amend Sections 779, 1000.7, 1703, 5657, 7200.06, 10063, 11025, 11052.5, 11373, 11468.6, 14016.5, 14043.75, 14087.6, 14105.981, 14123.25, 14132.22, 14133.3, 14148.91, 14408, 15657, 15657.03, 16121.05, 16501.6, and 18358 of the Welfare and Institutions Code, and to amend Section 1 of Chapter 68 of, and Section 13 of Chapter 673 of, the Statutes of 2003, relating to the maintenance of the codes.

ASSEMBLY BILL NO. 3083—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, La Suer, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act to amend Section 19540 of, and to add Sections 19411.1, 19411.2, and 19412.1 to, the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 3084—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, La Suer, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act relating to tribal gaming.

ASSEMBLY BILL NO. 3085—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to repeal Section 23323 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 3086—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 23356 of the Business and Professions Code, relating to alcoholic beverages.

ASSEMBLY BILL NO. 3087—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Corbett, Dutra, Firebaugh, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act relating to emergency services.

ASSEMBLY BILL NO. 3088—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 8549.11 of the Government Code, relating to emergency response.

ASSEMBLY BILL NO. 3089—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Strickland, Wiggins, and Wyland). An act to amend Section 12715 of the Government Code, relating to tribal gaming.

ASSEMBLY BILL NO. 3090—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Canciamilla, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act relating to homeland security.

ASSEMBLY BILL NO. 3091—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Liu, Longville, Maddox, Negrete McLeod, Oropeza, Reyes, Samuelian, Strickland, Wiggins, and Wyland). An act to amend Section 19596.2 of the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

ASSEMBLY BILL NO. 3092—Committee on Governmental Organization (Jerome Horton (Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, and Wiggins). An act to amend Section 308 of the Penal Code, relating to cigarettes.

ASSEMBLY BILL NO. 3093—Committee on Governmental Organization (Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Canciamilla, Chavez, Corbett, Dutra, Dymally, Firebaugh, Levine, Liu, Longville, Negrete McLeod, Oropeza, Reyes, Wiggins, and Wyland). An act to amend Section 22971.1 of the Business and Professions Code, relating to tobacco products.

ASSEMBLY BILL NO. 3094—Committee on Public Employees, Retirement and Social Security (Negrete McLeod (Chair), Levine (Vice Chair), Chan, Correa, and Kehoe). An act to amend Sections 7480 and 21267 of the Government Code, relating to retirement systems.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 29—Harman, Lowenthal, and Richman (Coauthors: Bates, Benoit, Berg, Canciamilla, Daucher, Dutra, Shirley Horton, La Malfa, Liu, Matthews, Negrete McLeod, Plescia, and Wolk). A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article XIX B thereof, relating to transportation.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 193—Liu (Principal coauthor: Senator Scott). Relative to higher education.

ASSEMBLY CONCURRENT RESOLUTION NO. 194—Chu. (Coauthors: Bates, Berg, Chan, Cohn, Corbett, Daucher, Garcia, Goldberg, Hancock, Jackson, Kehoe, Lieber, Liu, Matthews, Montanez, Oropeza, Pavley, Reyes, Runner, and Wolk) (Coauthors: Senators Alpert, Bowen, Ducheny, Escutia, Figueroa, Karnette, Kuehl, Ortiz, Romero, and Soto). Relative to Sexual Assault Awareness Month.

ASSEMBLY JOINT RESOLUTION NO. 69—Matthews and Maldonado (Principal coauthors: Senators Machado and Poochigian). Relative to specialty crops.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1887	B. & P.
1916	Rev. & Tax. and L. Gov.
1961	Jud.
1970	L. Gov. and H. & C.D.
1997	Higher Ed.
2055	L. Gov. and Nat. Res.
2092	B. & F.
2093	E.S. & T.M.
2097	Rev. & Tax.
2132	Ed. and Health
2137	Jud.
2138	B. & P.
2144	Rev. & Tax.
2147	Ins.
2158	L. Gov. and H. & C.D.
2170	B. & P.
2227	J., E.D. & E.
2264	L. Gov. and H. & C.D.
2348	L. Gov. and H. & C.D.
2351	H. & C.D.
2367	Ed. and Health
2393	Health
2414	Hum. S. and Health
2415	P.E.,R. & S.S.
2506	E.S. & T.M.
2515	L. Gov. and H. & C.D.
2536	Jud.
2541	B. & P.
2577	U. & C.
2585	Nat. Res.
2588	Health and Jud.
2607	E.,R. & C.A. and Jud.
2613	B. & P.
2630	L. Gov.
2672	E.S. & T.M.
2700	B. & P.
2701	E.S. & T.M. and Nat. Res.
2702	L. Gov. and H. & C.D.
2705	Pub. S.
2706	Ed.
2710	Higher Ed.
2711	P.E.,R. & S.S.
2712	Health
2713	Jud.
2716	Health
2717	W.,P. & W. and L. Gov.
2718	H. & C.D. and Jud.
2720	Health
2721	Trans.

2722	-----	Rev. & Tax.
2724	-----	Higher Ed.
2725	-----	Nat. Res.
2727	-----	Ed. and Higher Ed.
2728	-----	Ed. and Higher Ed.
2729	-----	Jud.
2730	-----	Ins.
2732	-----	E.S. & T.M.
2733	-----	W.,P. & W.
2734	-----	W.,P. & W.
2735	-----	A.,E.,S.,T. & I.M. and Pub. S.
2736	-----	P.E.,R. & S.S.
2737	-----	Jud.
2739	-----	V.A.
2740	-----	Trans.
2744	-----	Ed.
2745	-----	Agri.
2748	-----	E.,R. & C.A.
2751	-----	Ed.
2752	-----	B. & F.
2753	-----	P.E.,R. & S.S.
2756	-----	Ed.
2757	-----	Ed.
2758	-----	U. & C.
2759	-----	Health
2760	-----	W.,P. & W.
2762	-----	Nat. Res.
2763	-----	Health
2764	-----	Ed. and Higher Ed.
2765	-----	Ed.
2768	-----	U. & C.
2769	-----	Health
2770	-----	Ins.
2771	-----	Ins.
2772	-----	Ins.
2773	-----	P.E.,R. & S.S. and Ins.
2774	-----	Hum. S.
2775	-----	Hum. S.
2776	-----	Ed.
2778	-----	Higher Ed.
2779	-----	L. Gov.
2780	-----	Ins.
2781	-----	Ed.
2782	-----	L. Gov.
2783	-----	Health
2784	-----	Trans. and L. Gov.
2785	-----	Trans.
2790	-----	E.,R. & C.A.
2792	-----	Rev. & Tax.
2793	-----	B. & P.
2794	-----	Rev. & Tax.
2795	-----	Hum. S.
2799	-----	U. & C.
2801	-----	Rev. & Tax.

2802	-----	Rev. & Tax.
2806	-----	Jud.
2807	-----	Jud. and Hum. S.
2809	-----	Nat. Res.
2810	-----	Nat. Res.
2812	-----	Jud.
2813	-----	Rev. & Tax.
2814	-----	Nat. Res.
2815	-----	Pub. S.
2818	-----	E.,R. & C.A.
2819	-----	Jud.
2820	-----	Ageing & L.T.C. and Health
2822	-----	Ageing & L.T.C. and Health
2823	-----	Trans.
2825	-----	Higher Ed.
2826	-----	Nat. Res.
2828	-----	Pub. S.
2829	-----	Pub. S.
2830	-----	Nat. Res.
2831	-----	U. & C.
2832	-----	L. & E.
2833	-----	Higher Ed.
2834	-----	W.,P. & W. and E.S. & T.M.
2836	-----	H. & C.D.
2838	-----	H. & C.D.
2841	-----	Ed.
2842	-----	E.,R. & C.A.
2844	-----	Trans.
2845	-----	Ed.
2846	-----	Rev. & Tax.
2849	-----	Higher Ed.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
187	----- P.,E.,R. & S.S.
188	----- Rls.
189	----- Trans.

AUTHOR'S AMENDMENTS
Committee on Judiciary

March 11, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 1895

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1895—An act to amend Sections 317, 634, and 727 of, and to add Section 366.31 to, the Welfare and Institutions Code, relating to immigrant children.

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 Education

March 11, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 1790

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 1790—An act to add Article 13 (commencing with Section 17079) to Chapter 12.5 of Part 10 of the Education Code, relating to school facilities.

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 Natural Resources

March 11, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Concurrent Resolution No. 178

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 178—Relative to the Compressed Air Foam System (CAFS).

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1814

Assembly Bill No. 1884

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1814—An act to amend Section 487 of the Penal Code, relating to theft.

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.

ASSEMBLY BILL NO. 1884—An act to amend Section 633 of the Penal Code, relating to privacy.

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 Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1801

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1801—An act to amend Sections 365.6, 600.2, and 600.5 of the Penal Code, relating to guide dogs.

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 Public Safety

March 11, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Joint Resolution No. 56

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY JOINT RESOLUTION NO. 56—Relative to the extension of the 1994 ban on assault weapons.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REQUEST FOR PHOTOGRAPHER

Assembly Members Dymally and Mullin were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 707 be removed from the inactive file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Assembly Bill No. 1844 be re-referred from the Committee on Health to the Committee on Public Safety.

**CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 192
BY UNANIMOUS CONSENT**

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 192 out of order, for purpose of consideration.

ASSEMBLY CONCURRENT RESOLUTION NO. 192 (Mullin)—Relative to Irish-American Heritage Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 192**

Assembly Member Mullin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 192.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Campbell, Canciamilla, Chan, Chavez, Cogdill, Cohn, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Mullin was granted unanimous consent to take up Assembly Concurrent Resolution No. 192, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 192, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 192—Relative to Irish-American Heritage Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate immediately.

RECESS

By unanimous consent, at 10:24 a.m., Speaker pro Tempore Yee declared the Assembly recessed to permit the introduction of special guests.

In recognition of Irish-American Heritage Day, Assembly Members Mullin and Corbett introduced the following members of the Kennelly School of Irish Dance, whereupon they performed for the assemblage: Lisa Anderson, Molly Yeigh, Addie Sherman, Nikki Wardlaw, Aaron Johnson, Clara Mello, Samantha Mello, Molly Ingram, Noel Ingram, Kylie Bridge, Logan Bridge, Caelie Fish, Maddie Benton, Jake Wallrich, Hannah Wallrich, and Libby Grotewohl; and Abby Hawkeswood, dance coordinator; Geraldine O'Connor, District Director; and Jane O'Connor, of South San Francisco.

Assembly Member Dymally introduced the following delegation: The Honorable Dr. Mose P. Tjitendero, MP, Speaker of the Federal Republic of Namibia; Mrs. Sandra Tjitendero; Mr. Haroldt H. Urrib, Minister Counselor, Deputy Chief of Mission, Embassy of the Republic of Namibia; and Mr. Gerson H. Kamatuka, Special Assistant to the Speaker.

RECONVENED

At 10:34 a.m., the Assembly reconvened.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SENATE BILL NO. 31 BY UNANIMOUS CONSENT

Assembly Member Correa was granted unanimous consent to take up Senate Bill No. 31 out of order, for purpose of amendment.

SENATE BILL NO. 31 (Figueroa)—An act to amend Section 7197 of, and to add Sections 7196.2, 7197.5, and 7198.5 to, the Business and Professions Code, relating to home inspections.

Bill read third time.

Motion to Amend

Assembly Member Correa moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted.

Assembly Rule 69(d) Suspended

Assembly Member Correa was granted unanimous consent that Assembly Rule 69(d) be suspended to permit consideration of Senate Bill No. 31, as amended, without reference to file.

SENATE BILL NO. 31 (Perata)—An act to amend Section 1789.35 of the Civil Code, relating to deferred deposit transactions, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Correa.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—69

Aghazarian	Dutton	Leslie	Plescia
Bates	Dymally	Levine	Reyes
Benoit	Firebaugh	Lieber	Richman
Berg	Frommer	Liu	Ridley-Thomas
Bermudez	Garcia	Longville	Runner
Bogh	Goldberg	Lowenthal	Salinas
Campbell	Hancock	Maddox	Samuelian
Canciamilla	Harman	Maldonado	Simitian
Chan	Horton, Jerome	Matthews	Spitzer
Chavez	Horton, Shirley	Maze	Steinberg
Cogdill	Houston	McCarthy	Strickland
Cohn	Jackson	Mountjoy	Vargas
Corbett	Keene	Nakanishi	Wyland
Correa	Koretz	Nakano	Yee
Cox	La Malfa	Nation	Mr. Speaker
Daucher	La Suer	Negrete McLeod	
Diaz	Laird	Pacheco	
Dutra	Leno	Parra	

NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

AYES—69

Aghazarian	Dutton	Leslie	Plescia
Bates	Dymally	Levine	Reyes
Benoit	Firebaugh	Lieber	Richman
Berg	Frommer	Liu	Ridley-Thomas
Bermudez	Garcia	Longville	Runner
Bogh	Goldberg	Lowenthal	Salinas
Campbell	Hancock	Maddox	Samuelian
Canciamilla	Harman	Maldonado	Simitian
Chan	Horton, Jerome	Matthews	Spitzer
Chavez	Horton, Shirley	Maze	Steinberg
Cogdill	Houston	McCarthy	Strickland
Cohn	Jackson	Mountjoy	Vargas
Corbett	Keene	Nakanishi	Wyland
Correa	Koretz	Nakano	Yee
Cox	La Malfa	Nation	Mr. Speaker
Daucher	La Suer	Negrete McLeod	
Diaz	Laird	Pacheco	
Dutra	Leno	Parra	

NOES—None

Bill ordered transmitted to the Senate.

**NOTICE OF INTENTION TO REMOVE BILL
FROM INACTIVE FILE**

Pursuant to Assembly Rule 78, Assembly Member Frommer announced his intention to request that Senate Bill No. 279 be removed from the inactive file.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 871 be re-referred from the Committee on Appropriations to the Committee on Transportation.

REQUEST TO RESCIND ACTION ON SENATE BILL NO. 403

Assembly Member Frommer requested unanimous consent to rescind the action whereby Senate Bill No. 403 was passed and ordered transmitted to the Senate.

Assembly Member Cogdill withheld unanimous consent.

Motion to Rescind Action on Senate Bill No. 403

Assembly Member Frommer moved that the action be rescinded whereby the Assembly, on September 10, 2003 (Assembly Journal, page 3745), passed Senate Bill No. 403, and whereby the bill was ordered transmitted to the Senate.

Assembly Member Reyes seconded the motion.

Motion carried by the following vote:

AYES—42

Berg	Firebaugh	Liu	Reyes
Bermudez	Frommer	Longville	Ridley-Thomas
Canciamilla	Goldberg	Lowenthal	Salinas
Chan	Hancock	Matthews	Simitian
Chavez	Horton, Jerome	Montanez	Steinberg
Cohn	Jackson	Mullin	Vargas
Corbett	Koretz	Nakano	Wesson
Correa	Laird	Nation	Yee
Diaz	Leno	Negrete McLeod	Mr. Speaker
Dutra	Levine	Parra	
Dymally	Lieber	Pavley	

NOES—32

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	Spitzer
Cox	Keene	Mountjoy	Strickland
Daucher	La Malfa	Nakanishi	Wyland

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS**

MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 190 (McCarthy)—Relative to emergency medical services.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 190**

Assembly Member McCarthy was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 190.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Campbell, Canciamilla, Chan, Chavez, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Maze, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Vargas, Wesson, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member McCarthy was granted unanimous consent to take up Assembly Concurrent Resolution No. 190, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 190, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 190—Relative to emergency medical services.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

HOUSE RESOLUTION NO. 44 (Matthews)—Relative to National Agriculture Week and National Agriculture Day.

Resolution read.

Members Made Coauthors of House Resolution No. 44

Assembly Member Matthews was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 44.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Bermudez, Bogh, Campbell, Canciamilla, Chan, Chavez, Cohn, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Lowenthal, McCarthy, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Pacheco, Pavley, Plescia, Richman, Ridley-Thomas, Samuelian, Simitian, Spitzer, Steinberg, Strickland, Wesson, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Matthews was granted unanimous consent to take up House Resolution No. 44, as amended, without reference to print or file.

Consideration of House Resolution No. 44, as Amended

HOUSE RESOLUTION NO. 44—Relative to National Agriculture Week and National Agriculture Day.

Resolution read, as amended, and adopted.

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. 174 (Kehoe)—Relative to Arts Education Month.

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. 176 (Bogh)—Relative to George Washington's birthday.

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. 181 (McCarthy)—Relative to National Anthem 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.)

Consent Calendar Roll Call

The roll was called, and the above resolutions on the Consent Calendar adopted, by the following vote:

AYES—71

Aghazarian	Dutton	Leno	Parra
Bates	Dymally	Leslie	Pavley
Benoit	Firebaugh	Levine	Plescia
Berg	Frommer	Lieber	Reyes
Bermudez	Garcia	Liu	Richman
Bogh	Goldberg	Longville	Ridley-Thomas
Campbell	Hancock	Lowenthal	Salinas
Canciamilla	Harman	Maddox	Samuelian
Chan	Haynes	Maldonado	Simitian
Chavez	Horton, Jerome	Matthews	Spitzer
Cogdill	Horton, Shirley	Maze	Steinberg
Cohn	Houston	Mountjoy	Strickland
Corbett	Jackson	Mullin	Vargas
Correa	Keene	Nakanishi	Wesson
Cox	Koretz	Nakano	Wyland
Daucher	La Malfa	Nation	Yee
Diaz	La Suer	Negrete McLeod	Mr. Speaker
Dutra	Laird	Pacheco	

NOES—None

ADJOURN IN MEMORY

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Alan Short who served in the California State Senate from 1955 to 1974.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robbie D. Hall, of Arcadia.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following schedule:

Monday, March 15th—Floor Session, 11 a.m.;

Tuesday, March 16th and Wednesday, March 17th, No Session;

Thursday, March 18th—Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Al Chiurazzi, of Laguna Niguel; and Sigmund Hau, of San Juan Capistrano.

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 David Castro, of Hayward.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Klarisa Petrosian, and Armond and Vrezh Khudabakhshyan, of Burbank.

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 Peggy B. Harding and Larry Glenn, of Glendora.

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Phillip Appfel, of Redwood City.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Aaron Joseph Berhell II, of Benicia; Norma Ann Difuntorum, of Fairfield; Morrie Lippman, of Davis; John L. McKim, of Suisun City; John Allen Moger, of Woodland; and Robert A. Payne, of Woodland.

MOTION TO ADJOURN

At 10:57 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Ridley-Thomas, Mountjoy and Vargas arose to speak on the condition of the file.

MOTION TO ADJOURN WITHDRAWN

Assembly Member Frommer withdrew his motion to adjourn, with the consent of the second to the motion.

CONGRATULATIONS EXTENDED TO ASSEMBLY MEMBER GOLDBERG

Assembly Member Cohn was joined by Members in expressing congratulations to Assembly Member Goldberg on the occasion of her recent marriage.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 806 (Wiggins)—An act to amend Section 19134 of the Government Code, relating to public contracts, and declaring the urgency thereof, to take effect immediately.

Bill presented by Assembly Member Spitzer, without objection.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—66

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Campbell	Goldberg	Maldonado	Samuelian
Canciamilla	Hancock	Maze	Simitian
Chan	Harman	McCarthy	Spitzer
Chavez	Horton, Jerome	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wesson
Correa	Koretz	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

The roll was opened, and the Assembly concurred in Senate amendments by the following vote:

AYES—66

Aghazarian	Dutton	Lieber	Plescia
Bates	Dymally	Liu	Reyes
Berg	Firebaugh	Longville	Richman
Bermudez	Frommer	Lowenthal	Ridley-Thomas
Bogh	Garcia	Maddox	Salinas
Campbell	Goldberg	Maldonado	Samuelian
Canciamilla	Hancock	Maze	Simitian
Chan	Harman	McCarthy	Spitzer
Chavez	Horton, Jerome	Mountjoy	Steinberg
Cogdill	Houston	Mullin	Strickland
Cohn	Jackson	Nakanishi	Vargas
Corbett	Keene	Nakano	Wesson
Correa	Koretz	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Pacheco	Mr. Speaker
Diaz	Leslie	Parra	
Dutra	Levine	Pavley	

NOES—None

Above bill ordered enrolled immediately.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Senate Bill No. 31 and Urgency: Corbett and Houston—Aye.

Senate Bill No. 403, Motion by Frommer: Houston—No.

Assembly Bill No. 806, Urgency and Concurrence: Bates and Bermudez—Aye.

MOTION TO ADJOURN

At 11:12 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:13 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 11, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 186

With the recommendation: Be adopted.

MONTANEZ, Chair

Above resolution ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 806

And reports the same correctly enrolled, and presented to the Governor on the 11th day of March, 2004, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, March 15, 2004, out of respect to the memory of Hon. Alan Short, on motion of Assembly Member Matthews; out of respect to the memory of Robbie D. Hall, on motion of Assembly Member Mountjoy; out of respect to the memory of Al Chiurazzi and Sigmund Hau, on motion of Assembly Member Bates; out of respect to the memory of David Castro, on motion of Assembly Member Corbett; out of respect to the memory of Klarisa Petrosian and Armond and Vrezh Khudabakhshyan, on motion of Assembly Member Frommer; out of respect to the memory of Peggy B. Harding and Larry Glenn, on motion of Assembly Member Mountjoy; out of respect to the memory of Phillip Apffel, on motion of Assembly Member Simitian; and out of respect to the memory of Aaron Joseph Berhell II, Norma Ann Difuntorum, Morrie Lippman, John L. McKim, John Allen Moger, and Robert A. Payne, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 11, 2004

The following measures were amended in the Assembly on this day:

AB RN

1790 0405352

1801 0406432

1814 0406357

1884 0406419

1895 0406157

ACR RN

178 0405853

AJR RN

56 0406168

SB RN

31 0406214

Daily Total: 8

Cumulative Total: 3194

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 15, 2004

**ONE HUNDRED SIXTY-FIFTH SESSION DAY
FOUR 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
Monday, March 15, 2004

The Assembly met at 11 a.m.

Hon. Sally J. Lieber, Assistant 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 Cohn moved a quorum call of the Assembly.

Motion carried. Time, 11:01 a.m.

The Assistant Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

Quorum Present

At 11:08 a.m., Assistant Speaker pro Tempore Lieber declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

Aghazarian	Dymally	Levine	Pavley
Bates	Firebaugh	Lieber	Plescia
Benoit	Frommer	Liu	Reyes
Berg	Garcia	Longville	Richman
Bogh	Goldberg	Lowenthal	Ridley-Thomas
Calderon	Hancock	Maddox	Runner
Campbell	Harman	Maldonado	Salinas
Canciamilla	Haynes	Matthews	Samuelian
Chan	Horton, Jerome	Maze	Simitian
Chavez	Horton, Shirley	McCarthy	Spitzer
Chu	Houston	Montanez	Steinberg
Cogdill	Jackson	Mountjoy	Strickland
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wesson
Correa	Koretz	Nakano	Wiggins
Cox	La Malfa	Nation	Wolk
Daucher	La Suer	Negrete McLeod	Wyland
Diaz	Laird	Oropeza	Yee
Dutra	Leno	Pacheco	Mr. Speaker
Dutton	Leslie	Parra	

PRAYER

Upon invitation of Assistant Speaker pro Tempore Lieber, the following prayer was offered by Rev. F. Faith Whitmore, Senior Pastor of St. Mark's United Methodist Church, in Sacramento:

God of Strength, Vision, Beauty and Compassion—Known to us by many names—it is with delight and respect that we have gathered this day. Women from all walks of life, with myriad gifts and talents, have been called forth from all parts of this great state to be recognized and honored; we are humbled to be in their presence this afternoon. Together with their families, friends and State Representatives, we give thanks for their generous and gracious years of service, as we celebrate their accomplishments and contributions.

Continue to shine your guiding light upon us, directing us and supporting us all in the ways of justice, compassion, love and generosity as we live together upon this earth. In the spirit of thanksgiving we pray.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Lieber, Assembly Member Jackson 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 Frommer, seconded by Assembly Member Cogdill.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

Due to travel delays: Assembly Member Bermudez.

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 12, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on Hydrogen and Other Alternative Fuels for the 2003–04 Regular Session and have appointed Assemblymember Fran Pavley as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 12, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Rebecca Cohn, Mark Ridley-Thomas and Rudy Bermudez to Commission for Economic Development

Dear Mr. Wilson: Please be advised I have appointed Assemblymembers Rebecca Cohn, Mark Ridley-Thomas and Rudy Bermudez to the Commission for Economic Development. These are pleasure appointments starting March 12, 2004.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

March 15, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember John Laird to fill the vacancy on the Assembly Budget Committee and to sit on the Budget Subcommittee #1 on Health and Human Services for today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

COMMUNICATIONS

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

Senate Rules Committee
 March 10, 2004

Mr. Greg Schmidt
Secretary of the Senate
State Capitol, Room 3044
Sacramento, California

Dear Greg: For your information, Senator Chesbro, Chair of the Joint Legislative Budget Committee, has advised that the Subcommittee on State Expenditures to Purchase Electricity has been eliminated.

Sincerely,

JOHN L. BURTON
 Chairman

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1790

Assembly Bill No. 1895

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1801

Assembly Bill No. 1814

Assembly Bill No. 1884

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 178

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 186

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 15, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Joint Resolution No. 56

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Labor and Employment, on Wednesday, March 24, 2004, at 10 a.m., in Room 4202;

Environmental Safety and Toxic Materials, on Tuesday, March 30, 2004, at 9 a.m., in Room 127.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

<i>Bill No.</i>	<i>Committee</i>
1988 -----	Ed. and Health
2304 -----	U. & C. and Nat. Res.
2379 -----	E.S. & T.M. and Jud.
2387 -----	Higher Ed.
2400 -----	H. & C.D.
2449 -----	B. & P. and L. & E.
2457 -----	Higher Ed. and B. & P.
2530 -----	Jud.
2648 -----	Ed.
2671 -----	B. & F.
2676 -----	Trans.
2695 -----	L. & E.
2696 -----	Ins.
2697 -----	V.A.
2698 -----	Ed.
2699 -----	Pub. S.
2704 -----	L. & E.
2741 -----	Trans. and L. Gov.
2749 -----	Pub. S. and Hum. S.
2761 -----	Jud.
2766 -----	Hum. S.
2787 -----	B. & P. and Jud.
2788 -----	Pub. S.
2800 -----	Higher Ed. and Ed.
2803 -----	U. & C. and J., E.D. & E.
2804 -----	Jud. and Ins.
2817 -----	Trans. and L. Gov.
2824 -----	Ed.
2840 -----	Jud.
2852 -----	Pub. S.
2853 -----	L. Gov.
2854 -----	E.,R. & C.A.
2855 -----	Ed.
2856 -----	L. Gov.
2857 -----	Rev. & Tax.
2858 -----	Pub. S.
2859 -----	Ins. and Rev. & Tax.
2861 -----	Pub. S.
2863 -----	Ed.
2865 -----	Trans.
2866 -----	Ins.
2867 -----	Jud.
2868 -----	B. & F.
2870 -----	L. & E.
2871 -----	Health
2872 -----	Jud.

2873 ----- Hum. S.
2876 ----- Health
2877 ----- E.S. & T.M.
2878 ----- G.O.
2880 ----- Trans.
2884 ----- E.S. & T.M. and Jud.
2885 ----- Ed.
2886 ----- Rev. & Tax.
2887 ----- G.O.
2889 ----- Jud. and L. & E.
2890 ----- Ins.
2893 ----- Pub. S.
2894 ----- P.E.,R. & S.S.
2895 ----- Pub. S.
2897 ----- Pub. S.
2899 ----- Trans.
2901 ----- Nat. Res. and E.S. & T.M.
2903 ----- P.E.,R. & S.S.
2908 ----- Trans. and L. Gov.
2910 ----- B. & P.
2911 ----- Nat. Res.
2912 ----- B. & P.
2913 ----- Ed.
2914 ----- Pub. S.
2916 ----- Agri.
2919 ----- B. & P. and Pub. S.
2920 ----- Agri.
2921 ----- B. & F.
2922 ----- Nat. Res.
2923 ----- Higher Ed.
2925 ----- Agri. and A.,E.,S.,T. & I.M.
2926 ----- Rev. & Tax.
2927 ----- G.O.
2928 ----- B. & P.
2929 ----- P.E.,R. & S.S.
2930 ----- Pub. S.
2936 ----- E.,R. & C.A.
2937 ----- Health
2938 ----- G.O. and Ed.
2941 ----- E.,R. & C.A.
2942 ----- Ed.
2943 ----- E.S. & T.M.
2944 ----- Ed.
2946 ----- Pub. S.
2947 ----- Hum. S.
2949 ----- E.,R. & C.A. and Pub. S.
2952 ----- Rev. & Tax.
2953 ----- Trans.
2954 ----- U. & C.
2955 ----- E.S. & T.M.
2956 ----- P.E.,R. & S.S.
2958 ----- Rev. & Tax.
2961 ----- Pub. S.
2962 ----- Ins.

2963	Health
2965	Ins.
2967	U. & C. and Nat. Res.
2969	E.S. & T.M.
2970	Ed.
2972	A.,E.,S.,T. & I.M.
2973	Health
2977	Rev. & Tax.
2980	L. Gov. and H. & C.D.
2981	Rev. & Tax.
2985	Health
2986	Pub. S.
2989	Hum. S.
2990	Health
2991	Rev. & Tax.
2992	Ed. and Higher Ed.
2993	Ed.
2996	Health
2999	Health
3000	V.A.
3001	Ed.
3004	E.S. & T.M.
3005	U. & C. and Nat. Res.
3007	L. Gov.
3010	Higher Ed.
3011	Trans. and L. Gov.
3012	Health
3013	B. & F.
3016	B. & F. and Jud.
3018	L. & E.
3020	L. & E.
3021	L. & E.
3022	H. & C.D.
3023	Agri.
3024	Agri.
3025	Agri.
3031	Agri.
3035	Health
3036	Health
3038	Health
3039	E.S. & T.M. and Nat. Res.
3041	E.S. & T.M.
3042	Pub. S.
3043	G.O.
3044	Health
3045	Agri.
3046	Agri.
3047	Trans.
3048	Trans.
3050	Trans.
3051	Ins.
3055	B. & P.
3056	Hum. S.
3057	J., E.D. & E.

3058	-----	J., E.D. & E.
3059	-----	J., E.D. & E.
3060	-----	J., E.D. & E.
3061	-----	J., E.D. & E.
3063	-----	Higher Ed.
3064	-----	Higher Ed.
3070	-----	B. & F.
3071	-----	Rev. & Tax.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
191	----- Rls.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
67	----- Jud.
68	----- Ed.

AUTHOR'S AMENDMENTS

Committee on Water, Parks and Wildlife

March 15, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 1934

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CANCIAMILLA, Chair

ASSEMBLY BILL NO. 1934—An act to amend Section 115825 of, and to add Section 115843 to, the Health and Safety Code, relating to drinking water.

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 Business and Professions

March 15, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Senate Bill No. 584

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

SENATE BILL NO. 584—An act to add Section 17531.3 to the Business and Professions Code, to add Sections 1726 and 1727 to the Civil Code, to add Section 395 to the Insurance Code, and to add Sections 2898 and 2898.1 to the Public Utilities Code, relating to advertising.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS

Committee on Transportation

March 15, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 142

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 142—Relative to the Los Angeles County Deputy Sheriff David W. March Memorial Interchange.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 15, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 179

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 179—Relative to Officer Mark A. White Memorial Highway.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

March 15, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:
Assembly Bill No. 1815

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERMUDEZ, Chair

ASSEMBLY BILL NO. 1815—An act to amend Sections 17041 and 17062 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 15, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 1971

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1971—An act to amend Section 40720 of the Health and Safety Code, relating to air pollution.

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 Environmental Safety and Toxic Materials

March 15, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1940

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 1940—An act to add Section 57013 to the Health and Safety Code, relating to hazardous chemicals.

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 Governmental Organization

March 15, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Assembly Bill No. 1838

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 1838—An act to add and repeal Sections 19605.75, 19605.76, and 19605.77 of the Business and Professions Code, relating to horse racing, 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.

AUTHOR'S AMENDMENTS
Committee on Local Government

March 15, 2004

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 1827

With author's amendments with the recommendation: Amend, and re-refer to the committee.

SALINAS, Chair

ASSEMBLY BILL NO. 1827—An act to amend Section 54954.5 of, and to add Sections 11126.2 and 54956.75 to, the Government Code, relating to open meetings.

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

March 15, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1818

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1818—An act to add Chapter 1.5 (commencing with Section 1937) to Title 5 of Part 4 of Division 3 of the Civil Code, relating to snowmobiles.

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 GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
March 11, 2004

To the Members of the Assembly:

Assembly Bill 1498, in my opinion, constitutes an emergency bill within the meaning of that term as used in Section 12 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

I, therefore, recommend consideration of Assembly Bill 1498 as an emergency measure.

Sincerely,

ARNOLD SCHWARZENEGGER

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 11, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1498

And reports the same correctly enrolled, and presented to the Governor on the 11th day of March, 2004, at 4 p.m.

E. DOTSON WILSON, Chief Clerk

MESSAGES FROM THE SENATE

Senate Chamber, March 15, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 1195

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, March 15, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 61

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, March 15, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 173

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above resolution ordered enrolled.

Senate Chamber, March 15, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 52

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Senate Chamber, March 15, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 59

Senate Concurrent Resolution No. 66

Senate Concurrent Resolution No. 60

Senate Joint Resolution No. 16

Senate Concurrent Resolution No. 63

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following resolutions were read:

SENATE CONCURRENT RESOLUTION NO. 59—Relative to teen pregnancy prevention.

SENATE CONCURRENT RESOLUTION NO. 60—Relative to Child Abuse Prevention Month.

SENATE CONCURRENT RESOLUTION NO. 63—Relative to POW Recognition Day.

SENATE CONCURRENT RESOLUTION NO. 66—Relative to California Western Monarch Day.

SENATE JOINT RESOLUTION NO. 16—Relative to military airfares.

REQUEST FOR PHOTOGRAPHERS

Assembly Member Frommer was granted unanimous consent that photographers be permitted on the Floor of the Assembly and that guests be permitted at Members' desks during today's session.

**SPECIAL CEREMONY HONORING
WOMEN OF THE YEAR**

At 11:17 a.m., Assistant Speaker pro Tempore Lieber announced the commencement of a special ceremony honoring "Women of the Year".

REMARKS BY ASSEMBLY MEMBER LIU

Assembly Member Liu addressed the assemblage and welcomed each of the honorees from throughout the State of California. The honorees were recognized for the outstanding contributions they have made in their communities, distinguishing each of them as "Women of the Year".

RESOLUTIONS PRESENTED TO "WOMEN OF THE YEAR" HONOREES

In celebration of Women's History Month, the following women were introduced and each was escorted to the front of the Assembly Chamber, whereupon each was greeted by Speaker Nunez and presented with a resolution. Honorees were then escorted to the Member's desk on the Assembly Floor and invited to remain seated for the remainder of today's proceedings.

2004 Woman of the Year Honorees

Mary Szcsey, escorted by Assembly Member Patty Berg; Catherine Gutierrez, escorted by Assembly Member Doug La Malfa; Katy Thoma, escorted by Assembly Member Rick Keene; Lorrie Lewis, escorted by Assembly Member Tim Leslie; Gail Kipp, escorted by Assembly Member Dave Cox; Suzanne Randall, escorted by Assembly Member Joe Nation; Moira Johnston-Block, escorted by Assembly Member Patricia Wiggins; Mary Stephens, escorted by Assembly Member Lois Wolk; Catherine Campisi, Ph.D., escorted by Assembly Member Darrell Steinberg; Carol Meehleis, escorted by Assembly Member Alan Nakanishi; Pamela Aguilar, escorted by Assembly Member Joe Canciamilla; Marie Brizuela, escorted by Assembly Member Leland Y. Yee; Sister Bernie Galvin, escorted by Assembly Member Mark Leno; Sharon Fuller, escorted by Assembly Member Loni Hancock; Peggy Conklin, escorted by Assembly Member Guy S. Houston; Ronnie Caplane, escorted by Assembly Member Wilma Chan; Diane Madrid Batres, escorted by Assembly Member Barbara Matthews; Alexandra Matteucci-Perkins, escorted by Assembly Member Ellen M. Corbett; Mary Griffin, escorted by Assembly Member Gene Mullin; Nina Moore, escorted by Assembly Member John Dutra; Loretta Green, escorted by Assembly Member Mark Leno; Pearl Cheng, escorted by Assembly Member Sally J. Lieber; Blanca Alvarado, escorted by Assembly Member Manny Diaz; Kathleen King, escorted by Assembly Member Rebecca Cohn; Janice Keating, escorted by Assembly Member David Cogdill; Carol Davis, escorted by Assembly Member Greg Aghazarian; Sylvia Hamilton, escorted by Assembly Member John Laird; Kathleen Z. Johnson, escorted by Assembly Member Simon Salinas; Ellie Huston, escorted by Assembly Member Steven N. Samuelian; Sandra Meraz, escorted by Assembly Member Nicole Parra; Carole Sarkisian-Bonard, escorted by Assembly Member Sarah Reyes; Linda Vernon, escorted by Assembly Member Kevin McCarthy; Carolee Munger, escorted by Assembly Member Abel Maldonado; Peggy Sanders, escorted by Assembly Member Bill Maze; Isabel Blagbourne, escorted by Assembly Member Hannah-Beth Jackson; Sherry Lasagna,

escorted by Assembly Member Sharon Runner; Antonie Strickland, escorted by Assembly Member Tony Strickland; Marie Harris, escorted by Assembly Member Cindy Montanez; Maria Sanchez, escorted by Assembly Member Lloyd E. Levine; Jo Kitz, escorted by Assembly Member Fran Pavley; Daphna Edwards Ziman, escorted by Assembly Member Paul Koretz; Annie G. Reed, escorted by Assembly Member Dario Frommer; Dr. Lucille Leong, escorted by Assembly Member Carol Liu; Carol Jacques, escorted by Assembly Member Jackie Goldberg; Alicia Salazar, escorted by Assembly Member Herb Wesson; Olivia E. Mitchell, escorted by Assembly Member Mark Ridley-Thomas; May To, escorted by Assembly Member Judy Chu; Marcia Rodriguez-Cox, escorted by Assembly Member Marco A. Firebaugh; Carolyn Aoki-Hyatt, escorted by Assembly Member Jerome Horton; Elvira Oropeza, escorted by Assembly Member Mervyn M. Dymally; Marilyn White, escorted by Assembly Member George Nakano; Lou Anne Bynum, escorted by Assembly Member Alan Lowenthal; Cecilia Moreno, escorted by Assembly Member Jenny Oropeza; Camie Poulos, escorted by Assembly Member Ed Chavez; Margaret Granado, escorted by Assembly Member Ronald S. Calderon; Sarah Flores, escorted by Assembly Member Dennis Mountjoy; Joanne Coontz, escorted by Assembly Member Robert Pacheco; Reva Salter, escorted by Assembly Member Gloria Negrete McLeod; Susan Longville, escorted by Assembly Member John Longville; Sandra J. Kaiser, escorted by Assembly Member Robert D. Dutton; Betty Barker, escorted by Assembly Member John J. Benoit; Helga Wolf, escorted by Assembly Member Russ Bogh; Janet Kister, escorted by Assembly Member Ray Haynes; Theresa Murphy, escorted by Assembly Member Tom Harman; Julie Beckman, escorted by Assembly Member Ken Maddox; Dr. Quynh Kieu, escorted by Assembly Member Lou Correa; Carol Hoffman, escorted by Assembly Member John Campbell; Kate Keena, escorted by Assembly Member Todd Spitzer; Sueling Chen, escorted by Assembly Member Lynn Daucher; Cathryn De Young, escorted by Assembly Member Patricia C. Bates; Merrilee Boyack, escorted by Assembly Member George A. Plescia; Carolyn Chase, escorted by Assembly Member Carol Liu; Priscilla J. Schreiber, escorted by Assembly Member Jay La Suer; The Honorable Judge Lillian Lim, escorted by Assembly Member Shirley Horton; The Honorable Judge Randa M. Trapp, escorted by Assembly Member Juan Vargas; Jamie Sepulveda-Bailey, escorted by Assembly Member Bonnie Garcia; Barbara E. Kerr, escorted by Lt. Gov. Cruz Bustamante; and Lucille Romero, escorted by Speaker Fabian Nunez.

Deanna Halter, honoree for the 38th Assembly District and Angie Medina, honoree for the 56th Assembly District were acknowledged, although they were unable to attend today's ceremony.

CONCLUDING REMARKS

Assembly Member Liu was joined by the Members of the Assembly in extending congratulations and celebrating the inspiration that each of the women honored today has been. Assembly Member Liu also announced a reception to immediately follow today's session in the First Floor Rotunda.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Oropeza announced that the Committee on Transportation would meet today, at 2 p.m.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 2182 from the Committee on Judiciary, to the Committee on Business and Professions;

Assembly Bill No. 2650 from the Committee on Judiciary, to the Committee on Labor and Employment, and back to Judiciary.

RE-REFERENCE OF BILLS FROM FILE TO COMMITTEE

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 403 be referred from the third reading file to the Committee on Rules.

BILLS RETURNED TO THIRD READING FILE

Pursuant to Assembly Rule 78, the following bills were withdrawn from the inactive file, and placed upon the third reading file:

Senate Bills Nos. 707 and 279, on request of Assembly Member Frommer.

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****MOTION TO RECONSIDER SENATE BILL NO. 131 CONTINUED**

By unanimous consent, the motion to reconsider the vote on Senate Bill No. 131 was continued until Thursday, March 18, 2004.

ADJOURN IN MEMORY

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tichi Wilkerson Kassel, of Beverly Hills.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Officer Steven Harvey, of the Torrance Police Department.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Plescia and La Suer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lieutenant Colonel Peter T. Nicholson, Lieutenant Colonel Robert Zeisler, Gunnery Sergeant Francisco I. Cortez, and Lance Corporal Jeremy M. Lindroth.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Assistant Speaker pro Tempore Lieber announced the following session schedule:

Tuesday, March 16, No Session;
Wednesday, March 17, No Session;
Thursday, March 18, Floor Session, 9 a.m.

ADJOURN IN MEMORY

Assembly Member Canciamilla was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jeffrey Alan Schwammel, of Antioch.

Assembly Member Houston was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maxine Billings, of Walnut Creek and John McGee, of Roswell, GA.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cherry Okimoto, of Manhattan Beach.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Estrella "Gori" Hober, of Fairfield; Roger D. Rigney, of Dixon; John Brikman, Adrienne Caroline Travers Hummel, George W. Salsman, and Gloria A. Schultz, of Vacaville.

MOTION TO ADJOURN

At 12:33 p.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.
Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:33 p.m., Assistant Speaker pro Tempore Lieber declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 9 a.m., Thursday, March 18, 2004, out of respect to the memory of Tichi Wilkerson Kassel, on motion of Assembly Member Frommer; out of respect to the memory of Officer Steven Harvey, on motion of Assembly Member Nakano; out of respect to the memory of Lieutenant Colonel Peter T. Nicholson, Lieutenant Colonel Robert Zeisler, Gunnery Sergeant Francisco I. Cortez, and Lance Corporal Jeremy M. Lindroth, on motion of Assembly Members Plescia and La Suer; out of respect to the memory of Jeffrey Alan Schwammel, on motion of Assembly Member Canciamilla; out of respect to the memory of Maxine Billings and John McGee, on motion of Assembly Member Houston; out of respect to the memory of Cherry Okimoto, on motion of Assembly Member Nakano; and out of respect to the memory of Estrella "Gori" Hober, Roger D. Rigney, John Brikman, Adrienne Caroline Travers Hummel, George W. Salsman, and Gloria A. Schultz, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 15, 2004

The following measures were amended in the Assembly on this day:

AB RN

1815	0406133
1818	0406401
1827	0406406
1838	0406536
1934	0406371
1940	0406388
1971	0406318

ACR RN

142	0406328
179	0406288

SB RN

584	0406280
-----	---------

Daily Total:	10
Cumulative Total:	3204

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 18, 2004

**ONE HUNDRED SIXTY-SIXTH SESSION DAY
FOUR HUNDRED SEVENTY-THIRD 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, March 18, 2004

The Assembly met at 9 a.m.

Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Benoit moved a quorum call of the Assembly.

Motion carried. Time, 9:01 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 9:10 a.m., Speaker pro Tempore Yee declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—71:

Aghazarian	Diaz	Leslie	Parra
Bates	Dutra	Levine	Pavley
Benoit	Dymally	Lieber	Plescia
Berg	Frommer	Longville	Reyes
Bermudez	Garcia	Lowenthal	Richman
Bogh	Goldberg	Maldonado	Salinas
Calderon	Hancock	Matthews	Samuelian
Campbell	Harman	Maze	Simitian
Canciamilla	Haynes	McCarthy	Spitzer
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Koretz	Nation	Wyland
Correa	La Malfa	Negrete McLeod	Yee
Cox	Laird	Oropeza	Mr. Speaker
Daucher	Leno	Pacheco	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Assembly Chaplain Rev. Constantine C. Pappademos:

Lord God, You are worshipped and glorified at all times and at every hour, in Heaven and on earth. You love the righteous and have mercy on sinners. Heavenly Father, receive our prayer at this hour and guide our life toward Your commandments. Sanctify our souls, correct our thoughts, purify our intentions, and deliver us from every sorrow, evil and pain. For You are long-suffering and most compassionate and we praise Your name forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Dutra 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 Frommer, 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 legislative business: Assembly Members Dutton, Kehoe, La Suer, Maddox, Ridley-Thomas, Runner, and Strickland.

On personal business, and waiving per diem: Assembly Member Liu.

Because of illness: Assembly Member Firebaugh.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

March 1, 2004

*Assemblyman Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I hereby request permission to be excused from session on Thursday, March 18, 2004, to attend the Governor's Blue Ribbon Fire Commission in Los Angeles. I have been appointed by the Governor to sit on this Commission.

Thank you for your cooperation in this matter.

Sincerely,

BOB DUTTON, Assembly Member
Sixty-third District

February 18, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor Session on Thursday, March 18, 2004 due to legislative business.

I wish to attend the Governor's Blue Ribbon Fire Commission's final meeting held in Los Angeles, California, of which I am a Member.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

March 16, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California*

Dear Mr. Speaker: I need to be excused from session on Thursday, March 18, because I will be attending the Governor's Blue Ribbon Fire Commission.

Thank you for your assistance.

Sincerely,

JAY LA SUER, Assembly Member
Seventy-seventh District

March 11, 2004

*The Honorable Fabian Nunez
Speaker of the California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, March 18th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDUX, Assembly Member
Sixty-eighth District

March 16, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I write to request permission to be excused from session on Thursday, March 18, 2004, for the purpose of conducting legislative business in my district.

Thank you for your assistance in this matter. If you have questions or need more information, please do not hesitate to contact me or to have your designated staff person contact Lourdes Machado, at (916) 319-2048.

With hope,

MARK RIDLEY-THOMAS, Assembly Member
Forty-eighth District

March 3, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Speaker Nunez: I am writing to request an excused absence for March 18, 2004. I will be on legislative business attending the Legislative Forum for the Three Californias in La Paz, Baja California Sur, Mexico. This trip was arranged by Senator Denise Moreno Ducheny.

Should you have any questions regarding this request, please contact Will Smith in my office at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member
Thirty-sixth District

February 13, 2004

The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request a legislative excuse for the date of March 18, 2004 as I will be unable to attend session that day due to legislative business in my district.

If you have any questions, please call Sarah Dawson at 319.2037.

Sincerely,

TONY STRICKLAND, Assembly Member
Thirty-seventh District

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
March 16, 2004

To Members of the California State Assembly:

I am signing Assembly Bill 806 to correct an unintended consequence of Chapter 1132, Statutes of 2002. Chapter 1132 established standards for wage scales in specified service contracts with the State by imposing a requirement that all employees working under a contract with the State of California be paid 85 percent of the wages and benefits that would be paid if the job were held by a state employee. Those requirements put persons with developmental disabilities who work in such contracts in jeopardy of losing current and future job opportunities to work for the State.

AB 806 will ensure that developmentally disabled persons continue to have job opportunities and work to become self-sufficient without increasing costs to the State.

Sincerely,

ARNOLD SCHWARZENEGGER

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 18, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymember Lloyd Levine to replace Assemblymember Marco Firebaugh on the Assembly Rules Committee for today's hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 18, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have appointed Assemblymembers John Laird and Mark Leno to fill the two Democratic vacancies on the Assembly Elections, Redistricting and Constitutional Amendments Committee for March 18–19, 2004 only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 11, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Tribal Gaming Compacts. Exclusive Gaming Rights. Contributions to State.
Initiative Constitutional Amendment and Statute.
SA 2004RF0005, Amdt. #1-NS**

Referred by the Speaker to the Committee on Governmental Organization.

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, dated March 16, 2004, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**State and Local Appropriations Limit. School Funding.
State Mandates. Bonds.
Initiative Constitutional Amendment. SA 2004RF0003, Amdt. #1-S**

Referred by the Speaker to the Committee on Budget.

**Indian Gaming Compacts.
Revenue Contributions to State, Local Governments. Gaming Expansion.
Initiative Constitutional Amendment. SA 2004RF0007**

Referred by the Speaker to the Committee on Governmental Organization.

Qualified Referendum

From Joanna Southard, Program Manager, Ballot Pamphlet and Initiatives, Office of the Secretary of State, Sacramento, dated March 15, 2004, transmitting copies of the qualified referendum for the November 2, 2004 General Election, pursuant to Section 9034 of the Elections Code:

**Referendum Petition
to Overturn Amendments to Health Care Coverage Requirements.**

Referred by the Speaker to the Committees on Health and Elections, Redistricting and Constitutional Amendments.

REPORTS

The following letters of transmittal were presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2003-130
March 16, 2004

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the California Department of Corrections' (department) plans to build a new condemned-inmate complex at California State

Prison, San Quentin (San Quentin). This report concludes that the department's current condemned-inmate facilities at San Quentin do not meet many of the department's design standards for maximum-security facilities, increasing the risk of escape and posing potential safety concerns to both staff and inmates. Accordingly, the department requested and received spending authority of \$220 million to build a new condemned-inmate complex at San Quentin, which the department estimates will be completed by 2007.

In analyzing where it should house its male condemned population, the department considered certain existing prison facilities but concluded that most of them would not be appropriate, due primarily to their remoteness from metropolitan areas. However, the department's analysis did not consider all alternatives, including the possibility of building the new complex at other locations. Additionally, the department's analysis did not consider all relevant factors, such as annual operating and maintenance costs. Because the department's analysis was incomplete, we can conclude neither that San Quentin is the best location for the new condemned-inmate complex nor that a better location exists. Nonetheless, benefits and drawbacks exist for both the continued use of San Quentin as a prison and its reuse for other purposes. Benefits for continuing to house the condemned-inmate population at San Quentin include, among other things, providing a timely solution to San Quentin's condemned-inmate housing problem. However, in committing to build a new complex to house male condemned inmates at San Quentin, the State will forgo the opportunity to help Marin County address certain needs.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Public Safety.

California State Auditor

2003-101
March 18, 2004

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning counties' administration of their Emergency Medical Services (EMS) Funds. This report concludes that although the counties we reviewed are making an effort to administer their EMS Funds properly, some of their practices do not comply with state laws or could benefit from better controls over disbursements. Over half of the counties affected by a statutory requirement that limits the growth of certain revenues for their EMS Funds are not aware of the limitation. Counties generally comply with other statutory requirements for EMS Fund revenues, but they either did not have all the necessary or reasonable controls in place for disbursement from their EMS Funds or made certain unallowable or questionable payments from their physician, hospital, or discretionary accounts. In addition, some

counties reported significant balances remaining in the revenue derived from penalty assessments collected by the courts as of June 30, 2002, raising questions about whether physicians and hospitals are receiving all the reimbursement possible. However, recent legislation will now require counties with surplus funds to proportionally reimburse additional amounts to qualifying physician claims. Finally, we found few counties report that their EMS Funds were audited for any purpose.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Health.

The following reports were presented by the Chief Clerk:

**Final Report of the Dental Board Enforcement Monitor
(Pursuant to Senate Bill 26, Chapter 615, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Kristin Triefke, Deputy Director, Division of Legislative and Regulatory Review, Department of Consumer Affairs, dated March 10, 2004, referred by the Speaker to the Committee on Business and Professions.

**A Report to the Legislature
in Response to Chapter 677, Statutes of 2002 (Senate Bill 1690)
Pertaining to the Defense of "Not Guilty by Reason of Insanity"
(Pursuant to Senate Bill 1690, Chapter 677, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Stephen W. Mayberg, Ph.D., Director, Department of Mental Health, dated March 10, 2004, referred by the Speaker to the Committee on Public Safety.

**Business and Professions Code Section 23055 Report
(Pursuant to Assembly Bill 432, Chapter 900, Statutes of 1992)**

Above transmitted report, together with letter of transmittal from Jerry R. Jolly, Director, Department of Alcoholic Beverage Control, dated March 11, 2004, referred by the Speaker to the Committee on Governmental Organization.

**Final Report on the Omnitrans Environmental and
Public Health Impacts Study
(Pursuant to Senate Bill 1927, Chapter 602, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Wendy Williams, Director of Marketing, Omnitrans, dated March 15, 2004, referred by the Speaker to the Committee on Transportation.

**Annual Report to the Legislature
on Statewide Automated Welfare System
(Pursuant to Assembly Bill 67, Chapter 606, Statutes of 1997)**

Above transmitted report, together with letter of transmittal from Bob Austin, Chief Deputy Director, Health and Human Services Agency Data Center, dated March 16, 2004, referred by the Speaker to the Committee on Budget.

**Franchise Tax Board Report on Average Interest Rate
from July 1, 2004 through December 31, 2004
(Pursuant to Revenue and Taxation Code Section 19521)**

Above transmitted report, together with letter of transmittal from George Ramsey, Manager, Statistical Research Section, Franchise Tax Board, dated March 12, 2004, referred by the Speaker to the Committee on Revenue and Taxation.

**Public Safety Officials
Home Protection Act Advisory Task Force
Report to the Legislature
(Pursuant to Assembly Bill 2238, Chapter 621, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated February 3, 2004, referred by the Speaker to the Committee on Public Safety.

**Concealable Firearms Charges in California
Fiscal Year 2003
(Pursuant to Penal Code Section 12025 and 12031)**

Above transmitted report, together with letter of transmittal from Sue Johnsrud, Director, Administrative Services Division, Department of Justice, dated March 12, 2004, referred by the Speaker to the Committee on Public Safety.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 16, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 173

And reports the same correctly enrolled, and presented to the Secretary of State on the 16th day of March, 2004, at 3:30 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 18, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1815

Assembly Bill No. 1818

Assembly Bill No. 1827

Assembly Bill No. 1838

Assembly Bill No. 1934

Assembly Bill No. 1940

Assembly Bill No. 1971

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 18, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 142

Assembly Concurrent Resolution No. 179

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committees were permitted to meet:

Higher Education Committee, on Wednesday, April 14, 2004, at 1:30 p.m., in Room 447;

Human Services, on Tuesday, April 20, 2004, at 9 a.m., in Room 437; Business and Professions, on Tuesday, April 20, 2004 and May 4, 2004;

Housing and Community Development, on Wednesday, April 21, 2004, at 9 a.m., in Room 126;

Local Government, on Wednesday, April 21, 2004 and May 5, 2004, at 1:30 p.m., in Room 126.

**AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO
JOINT RULE 54**

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Runner to introduce a bill relating to sex offenders. Request No. 0406565.

FABIAN NUÑEZ
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3095—Committee on Aging and Long-Term Care (Berg (Chair), Daucher, Levine, and Lowenthal). An act to amend Section 368 of the Penal Code, relating to elder abuse.

ASSEMBLY BILL NO. 3096—Committee on Governmental Organization Jerome Horton (Chair), Plescia (Vice Chair), Bermudez, Calderon, Chavez, Corbett, Dutra, Dymally, Firebaugh, Harman, Levine, Negrete McLeod, Oropeza, Reyes, Samuelian, Wiggins, and Yee). An act to amend Sections 8880.22, 8880.30, 8880.46, and 8880.57 of the Government Code, relating to the California State Lottery.

ASSEMBLY BILL NO. 3097—Runner. An act to add Sections 290.2 and 290.25 to the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 3098—Committee on Elections, Redistricting and Constitutional Amendments (Longville (Chair), Jerome Horton, Laird, Leno, and Levine). An act to amend Section 9160 of the Elections Code, relating to voting.

ASSEMBLY BILL NO. 3099—Committee on Elections, Redistricting and Constitutional Amendments (Longville (Chair), Jerome Horton, Laird, Leno, and Levine). An act to repeal Section 11382 of the Elections Code, relating to recall elections.

ASSEMBLY BILL NO. 3100—Committee on Elections, Redistricting and Constitutional Amendments (Longville (Chair), Jerome Horton, Laird, Leno, and Levine). An act to amend Section 9042 of the Elections Code, relating to state elections.

ASSEMBLY BILL NO. 3101—Committee on Elections, Redistricting and Constitutional Amendments (Longville (Chair), Jerome Horton, Laird, Leno, and Levine). An act to amend Section 85401 of the Government Code, relating to the Political Reform Act of 1974.

ASSEMBLY BILL NO. 3102—Committee on Elections, Redistricting and Constitutional Amendments (Longville (Chair), Jerome Horton, Laird, Leno, and Levine). An act to amend Section 19101 of the Elections Code, relating to elections, and declaring the urgency thereof, to take effect immediately.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 195—**Yee and Runner** (Coauthors: **Bates, Chavez, Garcia, Lieber, Nakano, Negrete McLeod, Pavley, Vargas, and Wiggins**). Relative to braille instruction.

ASSEMBLY CONCURRENT RESOLUTION NO. 196—**Firebaugh**. Relative to Cesar Chavez Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 197—**Maze** (Coauthors: **Bates, Berg, Corbett, Daucher, Garcia, Harman, Jerome Horton, Shirley Horton, Jackson, Lieber, Liu, Matthews, and Oropeza**). Relative to “Denim Day California.”

ASSEMBLY CONCURRENT RESOLUTION NO. 198—**Garcia**. Relative to Elder Abuse Prevention Month.

ASSEMBLY CONCURRENT RESOLUTION NO. 199—**Liu**. Relative to Disaster Resistance Week.

ASSEMBLY JOINT RESOLUTION NO. 70—**Garcia**. Relative to HIV and AIDS prevention and treatment for women.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

1882	-----	Pub. S.
1917	-----	Jud. and E.S. & T.M.
1947	-----	Trans.
1957	-----	Health and B. & P.
1958	-----	P.E.,R. & S.S.
1959	-----	Health and B. & P.
1960	-----	Health and B. & P.
1973	-----	P.E.,R. & S.S.
1991	-----	Nat. Res.
1995	-----	L. & E.
1998	-----	Rev. & Tax.
2000	-----	Rev. & Tax.
2001	-----	Trans.
2017	-----	Ed. and Rls.
2052	-----	L. & E.
2061	-----	Rev. & Tax.
2065	-----	G.O.
2070	-----	Rev. & Tax.
2071	-----	Jud.
2088	-----	H. & C.D. and Jud.
2124	-----	L. & E.
2125	-----	Health
2131	-----	Ed. and Higher Ed.
2133	-----	A.,E.,S.,T. & I.M. and Pub. S.
2162	-----	G.O.
2165	-----	B. & F. and B. & P.
2167	-----	Jud. and B. & F.
2175	-----	H. & C.D.
2177	-----	Higher Ed.
2178	-----	Ed.
2181	-----	L. & E. and Jud.
2184	-----	Health and B. & P.

2192	-----	Rev. & Tax.
2194	-----	L. & E.
2213	-----	L. & E.
2221	-----	Jud. and B. & F.
2222	-----	Trans.
2230	-----	Rev. & Tax.
2239	-----	Higher Ed.
2252	-----	B. & P.
2261	-----	B. & F.
2270	-----	Health
2274	-----	Pub. S.
2275	-----	P.E.,R. & S.S.
2276	-----	G.O. and L. & E.
2286	-----	Ed. and Jud.
2291	-----	Health and Jud.
2300	-----	Health
2305	-----	Nat. Res.
2312	-----	B. & F.
2320	-----	Ins.
2322	-----	Ins.
2324	-----	Health
2331	-----	Health and Jud.
2336	-----	Jud.
2341	-----	B. & P. and L. & E.
2352	-----	Hum. S.
2369	-----	Jud.
2374	-----	B. & F.
2381	-----	Nat. Res.
2406	-----	G.O.
2411	-----	J., E.D. & E.
2423	-----	L. Gov.
2430	-----	Trans.
2439	-----	W.,P. & W.
2462	-----	Ed.
2468	-----	Pub. S.
2471	-----	Trans.
2472	-----	Rev. & Tax. and Jud.
2474	-----	Aging & L.T.C. and Pub. S.
2475	-----	Pub. S.
2476	-----	Nat. Res.
2479	-----	G.O.
2485	-----	Ed. and E.S. & T.M.
2497	-----	Nat. Res. and L. & E.
2529	-----	W.,P. & W. and Nat. Res.
2560	-----	Health and B. & P.
2565	-----	V.A. and L. Gov.
2571	-----	Health and B. & P.
2576	-----	B. & P.
2591	-----	L. Gov. and Trans.
2604	-----	Jud.
2609	-----	B. & P.
2626	-----	Health and B. & P.
2631	-----	W.,P. & W.
2635	-----	Nat. Res.

2642	-----	U. & C. and Nat. Res.
2660	-----	Health and B. & P.
2665	-----	W.,P. & W. and Trans.
2666	-----	Trans.
2667	-----	Hum. S.
2670	-----	Jud.
2682	-----	Health and B. & P.
2690	-----	Nat. Res. and L. & E.
2694	-----	Pub. S.
2703	-----	Health and Jud.
2709	-----	Ins.
2719	-----	G.O.
2723	-----	B. & P.
2742	-----	Pub. S.
2746	-----	L. Gov.
2750	-----	P.E.,R. & S.S. and Jud.
2755	-----	L. Gov. and Jud.
2767	-----	W.,P. & W. and U. & C.
2796	-----	P.E.,R. & S.S.
2808	-----	L. Gov.
2811	-----	Pub. S.
2835	-----	Health and Jud.
2839	-----	B. & P.
2847	-----	Trans.
2848	-----	Trans.
2850	-----	L. & E.
2883	-----	E.S. & T.M.
2915	-----	W.,P. & W.
2917	-----	E.,R. & C.A.
2918	-----	W.,P. & W. and U. & C.
2945	-----	G.O. and Ins.
2982	-----	P.E.,R. & S.S.
2994	-----	B. & P.
3003	-----	L. Gov. and A.,E.,S.,T. & I.M.
3008	-----	P.E.,R. & S.S.
3037	-----	L. & E. and Ins.

*Assembly Joint
Resolution No.*

Committee

66 ----- L. & E.

**AUTHOR'S AMENDMENTS
Committee on Insurance**

March 18, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 1953

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1953—An act to amend Section 15027 of the Insurance Code, relating to public insurance adjusters.

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 Insurance

March 18, 2004

Mr. Speaker: The Chair of your Committee on Insurance reports:

Assembly Bill No. 1840

With author's amendments with the recommendation: Amend, and re-refer to the committee.

VARGAS, Chair

ASSEMBLY BILL NO. 1840—An act to amend Section 4702 of the Labor Code, relating to workers' compensation.

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 Higher Education

March 18, 2004

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 1819

Assembly Bill No. 1932

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1819—An act to amend Sections 48800 and 76002 of the Education Code, relating to public schools.

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.

ASSEMBLY BILL NO. 1932—An act relating to public postsecondary education.

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 Business and Professions

March 18, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 1829

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 1829—An act to add Chapter 3.55 (commencing with Section 12140) to Part 2 of Division 2 of the Public Contract Code, relating to public contracts.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 18, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 1847

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 1847—An act to amend Section 22651 of the Vehicle Code, relating to vehicles.

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 Environmental Safety and Toxic Materials

March 18, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1876

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 1876—An act to amend Sections 115875, 115880, 115890, and 115915 of, and to repeal Section 115900 of, the Health and Safety Code, relating to public beaches.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 18, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Concurrent Resolution No. 162

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 162—Relative to Dean E. Beattie Memorial Highway.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Utilities and Commerce

March 18, 2004

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Assembly Bill No. 1874

With author's amendments with the recommendation: Amend, and re-refer to the committee.

REYES, Chair

ASSEMBLY BILL NO. 1874—An act to add Section 7915 to the Public Utilities Code, relating to telecommunications.

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 Rules

March 18, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:
Senate Bill No. 403

With author’s amendments with the recommendation: Amend, and re-refer to the committee.

MONTANEZ, Chair

SENATE BILL NO. 403—An act to amend Sections 11270, 13400, 13401, 13402, 13403, 13405, and 13406 of, and to add Chapter 5.5 (commencing with Section 11531) to Part 1 of, and to add Chapter 3.5 (commencing with Section 13343) to Part 3 of, Division 3 of Title 2 of, the Government Code, and to amend Sections 12101, 12102, and 12103 of, and to repeal Section 12105 of, the Public Contract Code, relating to information technology.

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.

REPORTS OF STANDING COMMITTEES
Committee on Transportation

Date of Hearing: March 15, 2004

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1798

With the recommendation: Do pass.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: March 15, 2004

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1824

With amendments with the recommendation: Amend, do pass, as amended and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill ordered to second reading.

Date of Hearing: March 15, 2004

Mr. Speaker: Your Committee on Transportation reports:
Assembly Bill No. 1951

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

OROPEZA, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Rules

Date of Hearing: March 18, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 166

House Resolution No. 43

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolutions be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolutions ordered to the Consent Calendar.

Date of Hearing: March 18, 2004

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 58

With the recommendation: Be adopted.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above resolution be placed on the Consent Calendar.

MONTANEZ, Chair

Above resolution ordered to the Consent Calendar.

MOMENT OF SILENCE

Assembly Member Frommer was joined by the Members of the Assembly in observing a moment of silence in solidarity with the citizens of Spain and out of respect to the memory of their tragic loss of life in the recent terrorist bombing.

**CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS****SENATE BILL NO. 131 RECONSIDERED BY UNANIMOUS CONSENT**

In compliance with a motion given, Assembly Member Koretz was granted unanimous consent that the vote be reconsidered whereby Senate Bill No. 131 was refused passage; and that the bill be placed upon the inactive file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Assembly Bill No. 1195 to the Committee on Local Government.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS**

ASSEMBLY CONCURRENT RESOLUTION NO. 186 (Frommer)—Relative to Colorectal Cancer Awareness Month.

Resolution read.

**Members Made Coauthors of
Assembly Concurrent Resolution No. 186**

Assembly Member Frommer was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 186.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Dutra, Dymally, Garcia, Goldberg, Hancock, Harman, Jerome Horton, Shirley Horton, Houston, Jackson, Keene, Koretz, La Malfa, Laird, Leslie, Levine, Lieber, Longville, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Montanez, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Pacheco, Parra, Pavley, Plescia, Reyes, Richman, Salinas, Samuelian, Simitian, Spitzer, Steinberg, Vargas, Wesson, Wolk, Wyland, and Yee.

Request for Unanimous Consent

Assembly Member Frommer was granted unanimous consent to take up Assembly Concurrent Resolution No. 186, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 186, as Amended

ASSEMBLY CONCURRENT RESOLUTION NO. 186—Relative to Colorectal Cancer Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

RE-REFERENCE OF BILLS

Assembly Member Frommer was granted unanimous consent that Senate Bill No. 574 be re-referred from the Committee on Appropriations to the Committee on Insurance.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Steinberg announced that the Budget Oversight meeting on Corrections would be held today, 20 minutes after adjournment of Floor session, in Room 437.

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 Spencer Flournoy, of Santa Rosa.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sebhrenah April Wesson, Elizabeth Breahi Kina Wesson, Illabella Carrie Wesson, Aviv Dominique Wesson, Johnathon St. Charles Wesson, Ethan St. Laurent Wesson, Sedonia Solorio Wesson, Marshey St. Christopher Wesson, and Jeve St. Vladensvspry Wesson, of Fresno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

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 Peter Troxell, of Felton.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:
Monday, March 22nd, Floor Session, 11 a.m.;
Tuesday, March 23rd, Floor Session, 4:30 for State of
Judiciary Address;
Wednesday, March 24th, Check-in Session, 7 a.m.–3 p.m.;
Thursday, March 25th, Floor Session, 9 a.m.

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 Francis D. Thornhill, of Ukiah.

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Daniel Jordan, of El Cerrito.

Assembly Members Daucher and Pacheco were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joel K. Brattain, of Yorba Linda.

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bert Tissier, of Daly City.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Arthur Allen Burnett, of Lodi.

Speaker Emeritus Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Monica Maxine Johns, of Rancho Murieta.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Louis W. Hansen and Rachel Kristina “Racy” Juni, of Benicia; Judy P. Chan, John L. Darms, Jr., James Harold Modlin, and Betty S. Szmurlo, of Fairfield; Sharon Lucille Sabert, of Rio Vista; Eual Desmond Blansett, Sr., Carolyn McCall, and Gary Thomas Zanotelli, of Vacaville; and Salvatore “Sal” Gelardi, of Woodland.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS**

SENATE BILL NO. 279 (Chesbro)—An act to amend Section 68120 of the Education Code, relating to public postsecondary education.

Bill read third time.

Motion to Amend

Assembly Member Cogdill moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Jerome Horton announced that the Committee on Governmental Organization would meet today, upon adjournment of Floor session, in Room 4202.

Motion to Adjourn

At 9:32 a.m., Assembly Member Frommer moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Dymally, Bogh, Jackson, Mountjoy, Leno, Spitzer, and Vargas arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Frommer that the Assembly adjourn.

Roll Call Demanded

Assembly Members Mountjoy, Aghazarian, and Bogh, demanded a roll call.

The roll was called, and the Frommer motion to adjourn carried by the following vote:

AYES—41

Berg	Dymally	Lowenthal	Salinas
Bermudez	Frommer	Matthews	Simitian
Calderon	Goldberg	Montanez	Steinberg
Chan	Hancock	Mullin	Vargas
Chavez	Horton, Jerome	Nakano	Wesson
Chu	Jackson	Nation	Wiggins
Cohn	Koretz	Negrete McLeod	Yee
Corbett	Laird	Oropeza	Mr. Speaker
Correa	Levine	Parra	
Diaz	Lieber	Pavley	
Dutra	Longville	Reyes	

NOES—25

Aghazarian	Garcia	Maldonado	Richman
Bates	Haynes	Maze	Samuelian
Benoit	Horton, Shirley	McCarthy	Spitzer
Bogh	Houston	Mountjoy	Wyland
Cogdill	Keene	Nakanishi	
Cox	La Malfa	Pacheco	
Daucher	Leslie	Plescia	

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:48 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS**Committee on Public Employees, Retirement and Social Security**

March 18, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1852

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1852—An act to amend Sections 22134, 22134.5, 24203, and 24221 of, and to repeal Section 22136 of, the Education Code, relating to state teachers' retirement.

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 Public Safety**

March 18, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1826

Assembly Bill No. 1941

Assembly Bill No. 1920

Assembly Bill No. 1956

Assembly Bill No. 1937

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1826—An act to amend Section 530.5 of the Penal Code, relating to professional and trade licenses.

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.

ASSEMBLY BILL NO. 1920—An act to amend Section 422.6 of the Penal Code, relating to rights.

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.

ASSEMBLY BILL NO. 1937—An act to add Section 290.9 to the Penal Code, relating to sex offenders.

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.

ASSEMBLY BILL NO. 1941—An act to amend Sections 851.5, 1170, 1170.3, 1170.45, 1203, and 1203.016 of, and to add Sections 833.2 and 13517.7 to, the Penal Code, relating to criminal procedure.

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.

ASSEMBLY BILL NO. 1956—An act to amend Sections 1001.20, 1001.21, 1001.22, and 1001.23 of the Penal Code, relating to diversion.

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 Natural Resources

March 18, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1837

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 1837—An act to amend Sections 6101 and 6105 of the Public Resources Code, relating to the State Lands Commission.

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 Public Safety

March 18, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Joint Resolution No. 45

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY JOINT RESOLUTION NO. 45—Relative to extradition treaty with Mexico.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Rules

March 18, 2004

Mr. Speaker: The Chair of your Committee on Rules reports:

Assembly Concurrent Resolution No. 147

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MONTANEZ, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 147—Relative to California Holocaust Memorial Week.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

March 18, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 1991

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 1991—An act relating to petroleum infrastructure projects.

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 Business and Professions

March 18, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 1812

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 1812—An act to amend Section 12517.2 of the Vehicle Code, relating to vehicles.

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 Education

March 18, 2004

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 2017

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 2017—An act to add Chapter 5 (commencing with Section 32460) to Part 19 of the Education Code, relating to the Pupil Volunteer Award Program.

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 Labor and Employment

March 18, 2004

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
Assembly Joint Resolution No. 66

With author's amendments with the recommendation: Amend, and re-refer to the committee.

KORETZ, Chair

ASSEMBLY JOINT RESOLUTION NO. 66—Relative to Equal Pay Day.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Judiciary

March 18, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1950
Assembly Bill No. 2010

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1950—An act to add Section 1798.81.5 to the Civil Code, relating to privacy.

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.

ASSEMBLY BILL NO. 2010—An act to add and repeal Section 26840.10 of the Government Code, to add and repeal Section 103627 of the Health and Safety Code, and to add and repeal Section 18309 of the Welfare and Institutions Code, relating to domestic violence.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 18, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Concurrent Resolution No. 179

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY CONCURRENT RESOLUTION NO. 179—Relative to Officer Mark A. White Memorial Highway.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered printed, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 18, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:
Assembly Bill No. 2001

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 2001—An act to amend Section 23109 of the Vehicle Code, relating to vehicles.

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 Public Safety

March 18, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Joint Resolution No. 55

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY JOINT RESOLUTION NO. 55—Relative to the federal Violence Against Children Act of 2003.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Public Safety

March 18, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1802

Assembly Bill No. 1882

Assembly Bill No. 1865

Assembly Bill No. 1924

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1802—An act to amend Section 374.3 of the Penal Code, relating to illegal dumping.

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.

ASSEMBLY BILL NO. 1865—An act to add Section 3069 to the Penal Code, relating to parole.

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.

ASSEMBLY BILL NO. 1882—An act to amend Section 486 of the Food and Agricultural Code, relating to agricultural inspectors.

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.

ASSEMBLY BILL NO. 1924—An act to amend Section 456 of the Penal Code, and to amend Sections 4299 and 4376 of the Public Resources Code, relating to fire prevention.

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.

REPORTS OF STANDING COMMITTEES
Committee on Governmental Organization

Date of Hearing: March 18, 2004

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Bill No. 1838

With the recommendation: Do pass, and be re-referred to the Committee on Insurance.

JEROME HORTON, Chair

Above bill re-referred to the Committee on Insurance.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Frommer, the Assembly adjourned until 11 a.m., Monday, March 22, 2004, out of respect to the memory of Spencer Flournoy, on motion of Assembly Member Wiggins; out of respect to the memory of Sebhrenah April Wesson, Elizabeth Breahi Kina Wesson, Illabella Carrie Wesson, Aviv Dominique Wesson, Johnathon St. Charles Wesson, Ethan St. Laurent Wesson, Sedonia Solorio Wesson, Marshey St. Christopher Wesson, and Jeve St. Vladensvspry Wesson, on motion of Assembly Member Reyes; out of respect to the memory of Peter Troxell, on motion of Assembly Member Laird; out of respect to the memory of Francis D. Thornhill, on motion of Assembly Member Berg; out of respect to the memory of John Daniel Jordan, on motion of Assembly Member Chan; out of respect to the memory of Joel K. Brattain, on motion of Assembly Members Daucher and Pacheco; out of respect to the memory of Bert Tissier, on motion of Assembly Member Mullin; out of respect to the memory of Arthur Allen Burnett, on motion of Assembly Member Runner; out of respect to the memory of Monica Maxine Johns, on motion of Speaker Emeritus Wesson; and out of respect to the memory of Sharon Lucille Sabert, Salvatore "Sal" Gelardi, Louis W. Hansen, Rachel Kristina "Racy" Juni, Judy P. Chan, John L. Darms, Jr., James Harold Modlin, Betty S. Szmurlo, Eual Desmond Blansett, Sr., Carolyn McCall, and Gary Thomas Zanotelli, on motion of Assembly Member Wolk.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 18, 2004

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
1802	0406660	1956	0406055
1812	0406430	1991	0406254
1819	0406341	2001	0406182
1826	0406531	2010	0406570
1829	0406374	2017	0406619
1837	0406508		
1840	0406642	ACR	RN
1847	0406533	147	0406405
1852	0406088	162	0406359
1865	0406502	179	0406690
1874	0405512		
1876	0406484	AJR	RN
1882	0406353	45	0406515
1920	0406220	55	0406683
1924	0406633	66	0406626
1932	0406026		
1937	0405886	SB	RN
1941	0406518	279	0406069
1950	0406587	403	0406282
1953	0406434		

Daily Total:	33
Cumulative Total:	3237

CALIFORNIA LEGISLATURE
2003–04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 22, 2004

**ONE HUNDRED SIXTY-SEVENTH SESSION DAY
FOUR HUNDRED SEVENTY-SEVENTH 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, March 22, 2004

The Assembly met at 11 a.m.
Hon. Leland Y. Yee, Speaker pro Tempore of the Assembly,
presiding.
Chief Clerk E. Dotson Wilson at the Desk.
Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Mountjoy moved a quorum call of the Assembly.
Motion carried. Time, 11 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 11:12 a.m., Speaker pro Tempore Yee declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—74:

Aghazarian	Dutra	Leslie	Reyes
Bates	Dutton	Levine	Richman
Benoit	Firebaugh	Lieber	Ridley-Thomas
Berg	Frommer	Longville	Runner
Bermudez	Garcia	Lowenthal	Salinas
Bogh	Goldberg	Maddox	Samuelian
Calderon	Hancock	Maldonado	Simitian
Campbell	Harman	Matthews	Spitzer
Canciamilla	Haynes	Maze	Steinberg
Chan	Horton, Jerome	McCarthy	Strickland
Chavez	Horton, Shirley	Mountjoy	Vargas
Chu	Houston	Mullin	Wesson
Cogdill	Jackson	Nakanishi	Wiggins
Cohn	Keene	Nakano	Wolk
Corbett	Kehoe	Negrete McLeod	Wyland
Correa	Koretz	Oropeza	Yee
Cox	La Malfa	Pacheco	Mr. Speaker
Daucher	La Suer	Parra	
Diaz	Laird	Pavley	

PRAYER

Upon invitation of Speaker pro Tempore Yee, the following prayer was offered by Abbot Shi Tong Xin, of the Shaolin Temple, in China:

心 經

HEART SUTRA

觀自在菩薩 行深般若波羅蜜多時

KUAN TSE TSAI PU SA SHING SHEN BO JE PO LO MI DO SHIH

Avalokitesvara Bodhisattva while contemplating profoundly the Prajna Paramita,

照見五蘊皆空 度一切苦厄

CHAO CHIEN WU YUN CHIEH KUN DU YI CHIEH KU ERH

Realized that the five Skandhas are empty, and thus he was able to overcome all sufferings,

舍利子 色不異空 空不異色

SHER LI TZE SER BU YI KUNG KUNG BU YI SER

Sariputra, form is not different from Emptiness, Emptiness is not different from form,

色即是空 空即是色

SER CHI SHIH KUNG KUNG CHI SHIH SER

Form is in fact Emptiness, and Emptiness is in fact Form

受想行識 亦復如是

SHOU SHIANG SHING SHIH YI FU ZU SHIH

The same is of feeling, conception, impulse and consciousness.

舍利子 是諸法空相

SHER LI TZE SHIH CHU FA KUNG SHIANG

Sariputra, Emptiness is the nature of all Dharmas,

不生不滅 不垢不淨 不增不減

BU SHENG BU MIEH BU KOU BU CHING BU TSENG BU CHIEN

It can neither be created nor annihilated, polluted nor cleansed, increased nor decreased,

是故空中無色 無受想行識

SHIH KUI KUNG CHUNG WU SER WU SHOU SHIANG SHING SHIH

Therefore, in Emptiness there is no form, no feeling, conception, impulse or consciousness,

無眼耳鼻舌身意 無色聲香味觸法

WU YEN ERH BI SHER SHEN YI WUI SER SHENG SHIANG WEI CHU FA

No eye, ear, nose, tongue, body or mind; no form, sound, smell, taste, touch or conception

無眼界 乃至無意識界

WU YEN CHIEH NAI CHIH WUI YI SHIH CHIEH

No object of eye to the realm of consciousness,

無無明 以無無明盡 乃至無老死 亦無老死盡

WU WU MING YI WUI WUI MING CHIN NAI CHIH WUI LAO SHIH YI ' U

LAO SHIH CHIN

No ignorance, nor its extinction; no aging and no death, nor their cessation,

無苦集滅道 無智亦無得

WU KU CHI MIEH DAO WU CHICH YI WU DER

No suffering, causes, cessation, nor the path; no wisdom with nothing to attain.

以無所得故 菩提薩埵

YI WUI SO DER DU PU TI SA TO

As there is nothing to attain,

依般若波羅蜜多故 心無罣礙

YI BO JE PO LO MI DO KU SHIN WUI KUA AI

A Bodhisattva that relies on the Prajna Pramita has neither worry nor obstruction,

無罣礙故 無有恐怖

WU KUA AI KU WU YO KUNG BU

Without worry and obstruction, there is no fear,

遠離顛倒夢想 究竟涅槃

YUAN LI DIEN DAO MONG SHIANG CHIU CHING NEIH PAN

Away from confusion, daydreaming, and thus reaches Nirvana.

三世諸佛 依般若波羅蜜多故

SAN SHIH CHU FO YI BO JE PO LO MI DO KU

Buddhas of the past, present and future, also rely on the Prajna Paramita,

得阿耨多羅三藐三菩提

DER O NOU DO O SAN MIAO SAN PU TI

To attain Supreme Enlightenment.

故知般若波羅蜜多 是大神咒

KU CHIH BO JE PO LO MI DO SHIH DA SHEN CHO

Thus, one should know that Prajna Paramita is the great mantra,

是大明咒 是無上咒

SHIH DA MING CHO SHIH WUI SHANG CHO

The mantra of illumination, the supreme of all mantras.

是無等等咒 能除一切苦

SHIH WUI DENG DENG CHO NENG CHU YI CHIEH KU

It is unequalled and able to emancipate all sufferings.

真實不虛 故說般若波羅蜜多咒

CHEN SHIH BUI SHU KU SHO BO JE BO LO MI DO CHO

This is true and not false. Thus proclaim, the Prajna Paramita Mantra,

即說咒曰 揭諦 揭諦 波羅揭諦

CHI SHO CHO YUEH CHIEH DI CHIEH DI PO LO CHIEH DI

Saying thus, "Gate, Gate, Paragate,

波羅僧揭諦 菩提薩婆訶

PO LO SHENG CHIEH DI PU TI SA PO HO

Parasamgate, Bodhi svaha".

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Yee, Assembly Member Vargas 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 Frommer, 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 legislative business: Assembly Members Dymally and Montanez.

On personal business, and waiving per diem: Assembly Member Liu.

To attend a funeral: Assembly Member Leno.

Because of illness in his family: Assembly Member Nation.

Due to travel delays: Assembly Member Plescia.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 22, 2004

*The Honorable Fabian Nunez
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker,

I respectfully request to be excused from legislative Session on Monday, March 22, 2004, due to legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

MERVYN M. DYMALLY, Assembly Member
Fifty-second District

March 9, 2004

*The Honorable Speaker Fabian Nunez
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Floor and Check-In Session from March 19 through March 27 on legislative business.

If there are any questions or concerns, please feel free to contact my Chief of Staff, Jo-Ellen McChesney, at 319-2039.

Sincerely,

CINDY MONTAÑEZ, Assembly Member
Thirty-ninth District

COMMUNICATIONS

The following communications were presented by the Speaker, and ordered printed in the Journal:

March 19, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Lloyd Levine to replace Assemblymember Cindy Montanez on the Assembly Judiciary Committee for Tuesday, March 23rd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advise you that I have appointed Assemblymember Mark Ridley-Thomas to replace Assemblymember Mark Leno on the Assembly Revenue and Taxation Committee for the Monday, March 22nd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have appointed Assemblymember Marco Firebaugh to replace Assemblymember Carol Liu on the Assembly Transportation Committee for the Monday, March 22 hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Designation of Edward Caldwell
to California Earthquake Insurance Authority Governing Board

Dear Mr. Wilson: Please be advised I have selected Mr. Edward Caldwell to the California Earthquake Insurance Authority Governing Board. This is a pleasure appointment starting March 19, 2004. Mr. Caldwell will be replacing Ms. Fredericka McGee.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Lynn Daucher
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lynn Daucher to the State Allocation Board. This is a pleasure appointment starting March 19, 2004. Assemblymember Daucher will be replacing Assemblymember Tony Strickland.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

Mr. E. Dotson Wilson
Chief Clerk, California Assembly
State Capitol, Room 3196
Sacramento, California

RE: Appointment of Lois Wolk
to Sacramento-San Joaquin Delta Protection Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Lois Wolk to the Sacramento-San Joaquin Delta Protection Commission. This is a term appointment starting March 19, 2004 and the expiration date is March 19, 2008.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 19, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: Please be advised that I have made the following changes to Assembly standing and subcommittees for the 2003–04 Regular Session:

Aging and Long-Term Care Committee: I have removed Assemblymember Sally Lieber as a member of the committee, reducing the size of the committee from 6 to 5.

Agriculture Committee: I have removed Assemblymembers Sarah Reyes and Ken Maddox from the committee, reducing the size of the committee from 12 to 10 members.

Appropriations Committee: I have removed Assemblymembers Manny Diaz, Abel Maldonado, Robert Pacheco, Samuelian and Joe Simitian, eliminated the two Democratic vacancies from the committee and have added Assemblymembers Rick Keene, Jenny Oropeza and Herb Wesson, Jr., reducing the size of the committee from 25 to 21 members.

Arts, Entertainment, Sports, Tourism, and Internet Media Committee: I have removed Assemblymembers Russ Bogh, Joe Canciamilla, Marco Firebaugh, Dario Frommer, Christine Kehoe and Keith Richman, reducing the size of the committee from 19 to 13.

Banking and Finance Committee: I have removed Assemblymembers Wilma Chan and Tony Strickland and have added Assemblymember Gloria Negrete McLeod, reducing the size of the committee from 13 to 12 members.

Budget Committee: I have removed Assemblymembers John Campbell and Cindy Montanez, and have appointed Assemblymember John Laird to fill the Democratic vacancy and Assemblymember Sally Lieber to replace Assemblymember Montanez, reducing the size of the committee from 31 to 30 members.

Budget Subcommittee No. 1 on Health and Human Services: I have appointed Assemblymember John Laird as a member of the committee. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 2 on Education Finance: I have removed Assemblymember Canciamilla, creating a Democratic vacancy on the committee. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 3 on Resources: I have removed Assemblymember Cindy Montanez and the Republican vacancy and have appointed Assemblymembers Sally Lieber and Dave Cogdill. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 4 on State Administration: I have appointed Assemblymembers Rudy Bermudez, John Benoit and George Plescia and have removed Assemblymembers Dave Cogdill and Rick Keene. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Budget Subcommittee No. 5 on Information Technology/Transportation: I have appointed Assemblymembers Loni Hancock and Bill Maze to replace Assemblymembers John Dutra and John Benoit. I have also appointed Assemblymember Darrell Steinberg to serve as the Democratic alternate and Assemblymember Rick Keene to serve as the Republican alternate.

Business and Professions Committee: I have removed Assemblymember Mark Wyland and added Assemblymember Gloria Negrete McLeod.

Education Committee: No change.

Elections, Redistricting and Constitutional Amendments: No change.

Environmental Safety and Toxic Materials: I have appointed Assemblymembers Loni Hancock and Tim Leslie to replace Assemblymembers Sally Lieber and Ken Maddox.

Governmental Organization Committee: I have removed Assemblymembers Carol Liu, Sarah Reyes, Steve Samuelian and Tony Strickland and have appointed Assemblymember Herb Wesson, Jr. to fill the Democratic vacancy and appointed Assemblymembers Dennis Mountjoy and Doug La Malfa to the committee, reducing the size of the committee from 26 to 24 members.

Health Committee: I have removed Assemblymembers Patricia Bates, Judy Chu, Jackie Goldberg, Ray Haynes, Bill Maze, Robert Pacheco and Leland Yee from the committee, reducing the size from 25 to 18 members.

Higher Education Committee: I have removed Assemblymembers Patty Berg, Russ Bogh, Mervyn Dymally and Alan Nakanishi from the committee, reducing the size from 11 to 7 members.

Housing and Community Development Committee: No change.

Human Services Committee: No change.

Insurance Committee: I have appointed Assemblymembers Rebecca Cohn, Dave Cox and Mark Wyland to replace Assemblymembers Sally Lieber, John Campbell and Bob Dutton and have removed Assemblymembers Ed Chavez and Ken Maddox from the committee, reducing the size of the committee from 19 to 17 members.

Jobs, Economic Development, and the Economy Committee: I have removed Assemblymembers Hannah-Beth Jackson and Greg Aghazarian from the committee, reducing the size from 11 to 9 members.

Judiciary Committee: I have removed Assemblymembers Loni Hancock, Robert Pacheco and one Democratic vacancy from the committee, reducing the size from 14 to 11 members.

Labor and Employment Committee: I have appointed Assemblymembers Wilma Chan and Mark Leno to replace Assemblymembers Loni Hancock and Gloria Negrete McLeod.

Local Government Committee: No Change.

Natural Resources Committee: I have removed Assemblymember Cindy Montanez from the committee, reducing the size of the committee from 12 to 11 members.

Public Employees, Retirement and Social Security Committee: I have appointed Assemblymember John Campbell to replace Assemblymember Todd Spitzer on the committee.

Public Safety Committee: I have removed Assemblymembers Rudy Bermudez and Paul Koretz from the committee and have created a Democratic vacancy, reducing the size of the committee from 7 to 6 members.

Revenue and Taxation Committee: I have appointed Assemblymember Judy Chu to replace Assemblymember Joe Simitian on the committee.

Rules Committee: I have removed Assemblymember Lynn Daucher as the Republican Alternate.

Transportation Committee: I have removed Assemblymembers Patty Berg, Judy Chu, Tim Leslie, George Nakano and Todd Spitzer from the committee and have also eliminated the Democratic vacancy, reducing the size of the committee from 20 to 14 members.

Utilities and Commerce Committee: I have removed Assemblymembers Jay La Suer, Ken Maddox, Keith Richman and Lois Wolk and eliminated the Democratic vacancy from the committee and appointed Assemblymembers Herb Wesson, Russ Bogh and Tony Strickland, reducing the size from 14 to 12 members. I have also appointed Assemblymember John Campbell as the Vice Chair of the Committee.

Veterans Affairs Committee: I have removed Assemblymembers Rebecca Cohn, Tom Harman and Todd Spitzer from the committee, reducing the size from 14 to 11 members.

Water, Parks and Wildlife Committee: I have removed Assemblymembers Ellen Corbett, Mervyn Dymally and George Plescia from the committee and have also eliminated the Republican vacancy, reducing the size of the committee from 20 to 16 members.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have created the Select Committee on Human Trafficking for the 2003–04 Regular Session and have appointed Assemblymember Sally Lieber as the Chair.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have removed Assemblymember Cindy Montanez from the Special Committee on State Mandates.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: This is to advise you that I have removed Assemblymember Bill Maze from Budget Subcommittee No. 3 on Resources.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

*E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California*

Dear Dotson: Please be advised that I have appointed Assemblymember Gene Mullin to replace Assemblymember Cindy Montanez on the Assembly Health Committee for the Tuesday, March 23rd hearing only.

Sincerely,

FABIAN NUÑEZ
Speaker of the Assembly

March 22, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Dear Dotson: This is to advised you that I appointed Assemblymember Marco Firebaugh to replaced Assemblymember Cindy Montanez on the Assembly Rules Committee for the today's hearing only.

Sincerely,

FABIAN NUÑEZ
 Speaker of the Assembly

The following communication was presented by the Chief Clerk, and ordered printed in the Journal:

March 19, 2004

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Room 3196
Sacramento, California

Greg Schmidt
Secretary of the Senate
State Capitol, Room 400
Sacramento, California

Dear Mr. Wilson and Mr. Schmidt: Please be advised that the Assembly and Senate contingents of the Joint Committee on Rules met, respectively, and approved the following item:

- Selection of Assembly Member Cindy Montanez as Chair of the Joint Rules Committee for the 2003–04 Legislative Session (15–0)

Please ensure that this action is printed in the Assembly and Senate Daily Journals.

Sincerely,

CINDY MONTAÑEZ, Chair

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1802	Assembly Bill No. 1924
Assembly Bill No. 1812	Assembly Bill No. 1937
Assembly Bill No. 1826	Assembly Bill No. 1941
Assembly Bill No. 1837	Assembly Bill No. 1950
Assembly Bill No. 1852	Assembly Bill No. 1956
Assembly Bill No. 1865	Assembly Bill No. 1991
Assembly Bill No. 1874	Assembly Bill No. 2001
Assembly Bill No. 1882	Assembly Bill No. 2010
Assembly Bill No. 1920	Assembly Bill No. 2017

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Bill No. 1819
- Assembly Bill No. 1829
- Assembly Bill No. 1840
- Assembly Bill No. 1847

- Assembly Bill No. 1876
- Assembly Bill No. 1932
- Assembly Bill No. 1953

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 147
- Assembly Concurrent Resolution No. 179
- Assembly Joint Resolution No. 45
- Assembly Joint Resolution No. 55
- Assembly Joint Resolution No. 66

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 162

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

- Assembly Concurrent Resolution No. 166

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

Assembly

Bill No.

Committee

2005	-----	Hum. S.
2180	-----	Ed.
2208	-----	Health and Jud.
2366	-----	Trans. and L. Gov.
2470	-----	W.,P. & W.
2491	-----	G.O.
2580	-----	Jud.
2714	-----	G.O. and Rls.
2715	-----	B. & P. and Jud.
2837	-----	L. & E.
2909	-----	Ed.
3029	-----	Agri.
3072	-----	Rev. & Tax.
3073	-----	Rev. & Tax.
3074	-----	Rev. & Tax.
3075	-----	Rev. & Tax.
3077	-----	L. Gov.

3078	-----	Jud.
3079	-----	Jud.
3080	-----	Jud.
3081	-----	Jud.
3082	-----	Jud.
3083	-----	G.O.
3085	-----	G.O.
3087	-----	G.O.
3088	-----	G.O.
3091	-----	G.O.

Assembly Concurrent

<i>Resolution No.</i>		<i>Committee</i>
194	-----	Rls.
196	-----	Rls.

Assembly Joint

<i>Resolution No.</i>		<i>Committee</i>
69	-----	Agri.

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Education, on Wednesday, April 14, 2004, at 9:30 a.m., in Room 444.

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 772

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CHU, Chair

SENATE BILL NO. 772—An act to amend Sections 955.1 and 3440.1 of the Civil Code, to amend Section 9109 of the Commercial Code, and to amend Section 1731 of, to add and repeal Section 1769 of, and to add Article 5.6 (commencing with Section 848) to Chapter 4 of Part 1 of Division 1 of, the Public Utilities Code, relating to public utilities.

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 Natural Resources**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 2381

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JACKSON, Chair

ASSEMBLY BILL NO. 2381—An act relating to forest resources.

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 Public Safety

March 22, 2004

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1842

Assembly Bill No. 2321

Assembly Bill No. 1861

Assembly Bill No. 2403

Assembly Bill No. 1938

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LENO, Chair

ASSEMBLY BILL NO. 1842—An act to amend Section 172 of the Penal Code, relating to the Fred C. Nelles School for Boys.

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.

ASSEMBLY BILL NO. 1861—An act to add Section 14908 to the Vehicle Code, relating to vehicles.

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.

ASSEMBLY BILL NO. 1938—An act to amend Sections 23536, 23540, and 23546 of, and to add Section 23579 to, the Vehicle Code relating to vehicles.

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.

ASSEMBLY BILL NO. 2321—An act to amend Section 12050 of the Penal Code, relating to firearms.

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.

ASSEMBLY BILL NO. 2403—An act to amend Sections 647 and 647.7 of, and to add Section 647.05 to the Penal Code, relating to crime.

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 Business and Professions

March 22, 2004

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 2007

Assembly Bill No. 2138

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORREA, Chair

ASSEMBLY BILL NO. 2007—An act to amend Section 1749.5 of the Civil Code, relating to gift certificates.

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.

ASSEMBLY BILL NO. 2138—An act to amend Section 1262 of the Business and Professions Code, and to repeal and add Section 114885 of the Health and Safety Code, relating to health care providers.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 22, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 2139

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 2139—An act to amend Sections 27315, 27360, 27360.5, 27362, and 27365 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 22, 2004

Mr. Speaker: The Chair of your Committee on Transportation reports:

Assembly Bill No. 2498

With author's amendments with the recommendation: Amend, and re-refer to the committee.

OROPEZA, Chair

ASSEMBLY BILL NO. 2498—An act to amend Section 2562.2 of the Streets and Highways Code, relating to transportation.

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 Human Services

March 22, 2004

Mr. Speaker: The Chair of your Committee on Human Services reports:

Assembly Bill No. 2151

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WOLK, Chair

ASSEMBLY BILL NO. 2151—An act to add Section 16001.10 to the Welfare and Institutions Code, relating to adoption practices.

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 Water, Parks and Wildlife

March 22, 2004

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:
Assembly Bill No. 2146
Assembly Bill No. 2298

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CANCIAMILLA, Chair

ASSEMBLY BILL NO. 2146—An act to amend Sections 8276, 8280, and 9004 of, and to add Sections 8276.1 and 8280.8 to the Fish and Game Code, relating to Dungeness crab, and making an appropriation therefor.

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.

ASSEMBLY BILL NO. 2298—An act to add Section 65600.7 to the Government Code, relating to water conservation.

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 Health

March 22, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 2270

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 2270—An act to amend Section 14132.47 of the Welfare and Institutions Code, relating to Medi-Cal.

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 Agriculture

March 22, 2004

Mr. Speaker: The Chair of your Committee on Agriculture reports:
Assembly Bill No. 2257

With author's amendments with the recommendation: Amend, and re-refer to the committee.

MATTHEWS, Chair

ASSEMBLY BILL NO. 2257—An act to amend Sections 77229 and 77262 of the Food and Agricultural Code, relating to the California Pepper Commission.

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 Environmental Safety and Toxic Materials**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 2093

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LAIRD, Chair

ASSEMBLY BILL NO. 2093—An act to amend Section 72505 of, and to add Section 72525 to, the Public Resources Code, relating to vessels.

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 Revenue and Taxation**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 2076

With author's amendments with the recommendation: Amend, and re-refer to the committee.

BERMUDEZ, Chair

ASSEMBLY BILL NO. 2076—An act to add Sections 17053.49 and 23649 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Governmental Organization**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Assembly Bill No. 2479

With author's amendments with the recommendation: Amend, and re-refer to the committee.

JEROME HORTON, Chair

ASSEMBLY BILL NO. 2479—An act to amend Section 23152 of the Vehicle Code, relating to vehicles.

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 Health**

March 22, 2004

Mr. Speaker: The Chair of your Committee on Health reports:

Assembly Bill No. 2393

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 2393—An act to amend Section 14000 of the Welfare and Institutions Code, relating to Medi-Cal.

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 Education

March 22, 2004

Mr. Speaker: The Chair of your Committee on Education reports:

Assembly Bill No. 2051

Assembly Bill No. 2367

With author's amendments with the recommendation: Amend, and re-refer to the committee.

GOLDBERG, Chair

ASSEMBLY BILL NO. 2051—An act to amend Section 35183 of the Education Code, relating to school uniforms.

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.

ASSEMBLY BILL NO. 2367—An act to add Section 49416 to the Education Code, relating to pupil health.

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 Public Employees, Retirement and Social Security

March 22, 2004

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1875

With author's amendments with the recommendation: Amend, and re-refer to the committee.

NEGRETE McLEOD, Chair

ASSEMBLY BILL NO. 1875—An act to amend Sections 3526, 3529, 3531, 3533, 3534, and 3538 of the Government Code, relating to state employees.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

AUTHOR'S AMENDMENTS
Committee on Higher Education

March 22, 2004

Mr. Speaker: The Chair of your Committee on Higher Education reports:

Assembly Bill No. 1880

Assembly Bill No. 2387

With author's amendments with the recommendation: Amend, and re-refer to the committee.

LIU, Chair

ASSEMBLY BILL NO. 1880—An act to add Section 66025.7 to the Education Code, relating to public postsecondary education.

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.

ASSEMBLY BILL NO. 2387—An act relating to discrimination.

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 Banking and Finance

March 22, 2004

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:
Assembly Bill No. 2014

With author's amendments with the recommendation: Amend, and re-refer to the committee.

WIGGINS, Chair

ASSEMBLY BILL NO. 2014—An act to amend Sections 14252 and 14703 of the Financial Code, relating to financial institutions.

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 Health

March 22, 2004

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 2049

With author's amendments with the recommendation: Amend, and re-refer to the committee.

COHN, Chair

ASSEMBLY BILL NO. 2049—An act to add Article 4.5 (commencing with Section 123620) to Chapter 2 of Part 2 of Division 106 of the Health and Safety Code, relating to maternal and child health.

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, March 22, 2004

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 31

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

RE-REFERENCE OF BILLS

Assembly Member Calderon was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 2272 from the Committee on Local Government, to the Committee on Governmental Organization and back to Local Government;

Assembly Bill No. 2807 from the Committee on Judiciary, to the Committee on Human Services and back to Judiciary.

**CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS**

ASSEMBLY BILL NO. 1798—An act to add Section 22507.1 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1824—An act to add Section 13002.1 to the Vehicle Code, relating to identification cards.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted; bill ordered reprinted and to be re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 22, 2004

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Bill No. 1798

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

ADJOURN IN MEMORY

Assembly Members Cogdill and Frommer were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gordon Merrill Hart, of Modesto.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Dutton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Walter Eugene Stewart, of Alta Loma.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hamza Sharif, of City Heights.

(Assembly Rule 45.5 suspended.)

ANNOUNCEMENTS

Speaker pro Tempore Yee announced the following session schedule:

Tuesday, March 23rd, Floor Session, 4:30 p.m.;

Wednesday, March 24th, Check-in Session, 7 a.m.–3 p.m.

ADJOURN IN MEMORY

Speaker Nunez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles Meuel, of Burlingame.

Assembly Member Daucher was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Christopher Sutton, of Brea.

Assembly Member Samuelian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Laura Nannette Bufford, of Fresno.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Claudia Faye Blakemore, of Dixon; Michael Farace Jr., of Fairfield; Lynn R. Straight, of Vacaville; and Brandon Times, of Fairfield.

ADJOURN IN MEMORY

Assembly Member McCarthy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Karen Denise Watson, of Bakersfield.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Member Koretz was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Sybil Brand, of Beverly Hills.

(Assembly Rule 45.5 suspended.)

MOTION TO ADJOURN

At 11:38 a.m., Assembly Member Calderon moved that the Assembly do now adjourn.

Assembly Member Cogdill seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Members Haynes, Reyes, Aghazarian, and Vargas were granted unanimous consent to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Calderon that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 11:46 a.m., Speaker pro Tempore Yee declared the quorum call of the Assembly dispensed with.

AUTHOR'S AMENDMENTS

Committee on Judiciary

March 22, 2004

Mr. Speaker: The Chair of your Committee on Judiciary reports:

Assembly Bill No. 1839

Assembly Bill No. 2193

Assembly Bill No. 2057

Assembly Bill No. 2404

With author's amendments with the recommendation: Amend, and re-refer to the committee.

CORBETT, Chair

ASSEMBLY BILL NO. 1839—An act to amend Section 2982 of, and to add Sections 1793.27 and 2982.2 to, the Civil Code, relating to consumers.

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.

ASSEMBLY BILL NO. 2057—An act to amend Sections 2021 and 2025 of the Code of Civil Procedure, relating to production of evidence.

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.

ASSEMBLY BILL NO. 2193—An act to amend Section 22708 of the Business and Professions Code, relating to tanning facilities.

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.

ASSEMBLY BILL NO. 2404—An act to add Section 53080 to the Government Code, relating to discrimination.

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.

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: March 22, 2004

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 196

With the recommendation: Be adopted.

FIREBAUGH, Acting Chair

Above resolution ordered to third reading.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Calderon, the Assembly adjourned until 4:30 p.m., Tuesday, March 23, 2004, out of respect to the memory of Gordon Merrill Hart, on motion of Assembly Members Cogdill and Frommer; out of respect to the memory of Walter Eugene Stewart, on motion of Assembly Member Dutton; out of respect to the memory of Hamza Sharif, on motion of Assembly Member Shirley Horton; out of respect to the memory of Christopher Sutton, on motion of Assembly Member Daucher; out of respect to the memory of Laura Nannette Bufford, on motion of Assembly Member Samuelian; out of respect to the memory of Claudia Faye Blakemore, Michael Farace Jr., Lynn R. Straight, and Brandon Times, on motion of Assembly Member Wolk; out of respect to the memory of Karen Denise Watson, on motion of Assembly Member McCarthy; out of respect to the memory of Sybil Brand, on motion of Assembly Member Koretz; and out of respect to the memory of Charles Meuel on motion of Speaker Nunez.

FABIAN NUÑEZ, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 22, 2004

The following measures were amended in the Assembly on this day:

AB	RN	AB	RN
1824	0406272	2151	0406537
1839	0406873	2193	0406287
1842	0406684	2257	0406739
1861	0406230	2270	0406532
1875	0406702	2298	0406462
1880	0406232	2321	0406092
1938	0406461	2367	0406650
2007	0406090	2381	0406062
2014	0406607	2387	0406346
2049	0406789	2393	0406047
2051	0406774	2403	0406437
2057	0406202	2404	0406693
2076	0406170	2479	0406064
2093	0406390	2498	0406385
2138	0406054		
2139	0406271	SB	RN
2146	0406737	772	0406268
		Daily Total:	32
		Cumulative Total:	3269

