

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 21, 2003

TWELFTH SESSION DAY

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
Tuesday, January 21, 2003

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 Brian Ebbert reading.

ROLL CALL

The roll was called.

Quorum Call of the Assembly

Assembly Member Yee 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 1:06 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—75:

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

PRAYER

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

O God, As the members of our Armed Forces are being deployed overseas, we ask that You protect them under the shelter of Your wings and bless them as they courageously serve their country. And for all of us this day, Lord, we ask that You give us the true courage that shows itself by gentleness; the true wisdom that shows itself by simplicity; and the true power that shows itself by modesty.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Cohn 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 Cox.

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, Oropeza, and Plescia.

On personal business, and waiving per diem: Assembly Members Bates and Lowenthal.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

January 16, 2003

The Honorable Herb J. Wesson, Jr.
Speaker

California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker Wesson: In addition to my previous request, I respectfully ask that I be excused from session on Tuesday, January 21, 2003. 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 14, 2003

*The Honorable Herb J. Wesson, Jr., Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California*

Dear Mr. Speaker: I am writing to request to be excused from Session on Tuesday, January 21, 2003, and Check-In Session on Wednesday, January 22, 2003, for Legislative Business. I will be in Temecula, CA, attending a conference on tribal gaming issues.

Please contact my Chief of Staff, Val Dolcini, if you have any further questions regarding this matter.

Sincerely,

JENNY OROPEZA, Assembly Member
Fifty-fifth District

January 13, 2002

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

Dear Mr. Speaker: I respectfully request that I be excused from Assembly Session Tuesday, January 21, 2003. I have legislative business in my District Office.

If you have any questions regarding this request, please feel free to contact Shaun Flanigan in my office at 319-2075.

Sincerely,

GEORGE A. PLESCIA, Assembly Member
Seventy-fifth District

COMMUNICATIONS

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

January 16, 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 created the Select Committee on Aerospace Industry for the 2003–04 Regular Session and have appointed Assemblymember Nakano as the Chair.

Sincerely,

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

January 16, 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 Air and Water Quality for the 2003–04 Regular Session and have appointed Assemblymember Fran Pavley as the Chair.

Sincerely,

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

January 16, 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 Airports and the Airline Industry for the 2003–04 Regular Session and have appointed Assemblymember Gene Mullin as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on the Alameda Corridor East for the 2003–04 Regular Session and have appointed Assemblymember Gloria Negrete McLeod as the Chair.

Sincerely,

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

January 16, 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 created the Assembly Select Committee on Asian Trade for the 2003–04 Regular Session and have appointed Assemblymember Wilma Chan as Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Biotechnology for the 2003–04 Regular Session and have appointed Assemblymember Ellen Corbett as Chair.

Sincerely,

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

January 16, 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 Bridging the Achievement Gap for the 2003–04 Regular Session and have appointed Assemblymember Loni Hancock as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California Children's School Readiness and Health for the 2003–04 Regular Session and have appointed Assemblymember Wilma Chan as Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California and Latin American Affairs for the 2003–04 Regular Session and have appointed Assemblymember Marco Firebaugh as Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California Horse Racing Industry for the 2003–04 Regular Session and have appointed Assemblymember Jerome Horton as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California Indian Nations for the 2003–04 Regular Session and have appointed Assemblymember Ed Chavez as Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California Ports for the 2003–04 Regular Session and have appointed Assemblymember Alan Lowenthal as the Chair.

Sincerely,

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

January 16, 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 Water Needs and Climate Change for the 2003–04 Regular Session and have appointed Assemblymember John Laird as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on California Wine for the 2003–04 Regular Session and have appointed Assemblymember Patricia Wiggins as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Cancer Detection, Prevention and Research for the 2003–04 Regular Session and have appointed Assemblymember Joe Nation as the Chair.

Sincerely,

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

January 16, 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 Challenges Facing Dual Language Communities for the 2003–04 Regular Session and have appointed Assemblymember Jackie Goldberg as the Chair.

Sincerely,

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

January 16, 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 Childhood Obesity and Related Diabetes for the 2003–04 Regular Session and have appointed Assemblymember Mark Leno as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Coastal Protection for the 2003–04 Regular Session and have appointed Assemblymember Hannah-Beth Jackson as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Community Colleges for the 2003–04 Regular Session and have appointed Assemblymember Mervyn Dymally as Chair.

Sincerely,

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

January 16, 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 Cyberfraud for the 2003–04 Regular Session and have appointed Assemblymember John Dutra as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on the Development of a 10th UC Campus for the 2003–04 Regular Session and have appointed Assemblymember Barbara Matthews as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Domestic Violence for the 2003–04 Regular Session and have appointed Assemblymember Rebecca Cohn as Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Earthquake Safety and Preparedness for the 2003–04 Regular Session and have appointed Assemblymember Ellen Corbett as the Chair.

Sincerely,

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

January 16, 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 Environmental Justice for the 2003–04 Regular Session and have appointed Assemblymember Cindy Montanez as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Equal Access to Preschool for the 2003–04 Regular Session and have appointed Assemblymember Lois Wolk as the Chair.

Sincerely,

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

January 16, 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 the Future of Farming in California for the 2003–04 Regular Session and have appointed Assemblymember Barbara Matthews as the Chair.

Sincerely,

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

January 16, 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 the Future of Health Care in California for the 2003–04 Regular Session and have appointed Assemblymember Rebecca Cohn as the Chair.

Sincerely,

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

January 16, 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 created the Assembly Select Committee on Groundwater Quality and Availability and have appointed Assemblymember Carol Liu as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Gun Violence for the 2003–04 Regular Session and have appointed Assemblymember Paul Koretz as the Chair.

Sincerely,

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

January 16, 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 Hate Crimes for the 2003–04 Regular Session and have appointed Assemblymember Judy Chu as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on the Highway Patrol and have appointed Assemblymember John Longville as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Housing in the Silicon Valley for the 2003–04 Regular Session and have appointed Assemblymember Manny Diaz as Chair.

Sincerely,

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

January 16, 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 Lesbian, Gay, Bisexual and Transgender Families for the 2003–04 Regular Session and have appointed Assemblymember Mark Leno as the Chair.

Sincerely,

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

January 16, 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 Megan’s Law and Sex Offender Registration for the 2003–04 Regular Session and have appointed Assemblymember Nicole Parra as the Chair.

Sincerely,

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

January 16, 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 Mobilehomes for the 2003–04 Regular Session and have appointed Assemblymember Sally Lieber as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on North Bay Transportation and Housing for the 2003–04 Regular Session and have appointed Assemblymember Joe Nation as the Chair.

Sincerely,

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

January 16, 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 Park and River Restoration for the 2003–04 Regular Session and have appointed Assemblymember Christine Kehoe as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Privacy for the 2003–04 Regular Session and have appointed Assemblymember Joe Simitian as Chair.

Sincerely,

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

January 16, 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 the Protection of Inland Waterways for the 2003–04 Regular Session and have appointed Assemblymember Joe Canciamilla as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on the Re-use of El Toro Marine Corps Air Station for the 2003–04 Regular Session and have appointed Assemblymember Lou Correa as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Rural Economic Development for the 2003–04 Regular Session and have appointed Assemblymember Simon Salinas as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on the Urban Child for the 2003–04 Regular Session and have appointed Assemblymember Mervyn Dymally as Chair.

Sincerely,

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

January 16, 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 Urban Revitalization for the 2003–04 Regular Session and have appointed Assemblymember Juan Vargas as the Chair.

Sincerely,

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

January 16, 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 Wetlands for the 2003–04 Regular Session and have appointed Assemblymember Christine Kehoe as the Chair.

Sincerely,

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

January 16, 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 Workers Compensation for the 2003–04 Regular Session and have appointed Assemblymember Ronald Calderon as the Chair.

Sincerely,

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

January 16, 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 created the Select Committee on Workforce Investment for the 2003–04 Regular Session and have appointed Assemblymember Patricia Wiggins as the Chair.

Sincerely,

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

January 16, 2003

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

Dear Dotson: Please find attached the hearing schedule for Assembly Standing Committees for the 2003–04 Regular Session.

Sincerely,

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

**SCHEDULE OF 2003–04
 ASSEMBLY STANDING COMMITTEE MEETINGS**

(see next page for subcommittee schedules)

MONDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
4:00 p.m.**	444.....	Banking and Finance
9:00 a.m.*	4202.....	Governmental Organization
1:30 p.m.*	447.....	Natural Resources
1:30 p.m.*	126.....	Revenue and Taxation
! *	3162.....	Rules
1:30 p.m.*	4202.....	Transportation
1:30 p.m.*	437.....	Utilities and Commerce

TUESDAY

<i>Time</i>	<i>Room</i>	<i>Committee</i>
2:00 p.m.**	127.....	Aging and Long-Term Care
9:00 a.m.***	4202.....	Arts, Entertainment, Sports, Tourism and Internet Media
9:00 a.m.***	447.....	Business and Professions
1:30 p.m.**	444.....	Elections, Redistricting and Constitutional Amendments
1:30 p.m.***	444.....	Environmental Safety and Toxic Materials
1:30 p.m.*	4202.....	Health
1:30 p.m.**	437.....	Higher Education
1:30 p.m.***	437.....	Human Services
9:00 a.m.**	447.....	Jobs, Economic Development, and the Economy

9:00 a.m.**	.....	4202.....	Judiciary
9:00 a.m.*	.....	126.....	Public Safety
4:00 p.m.***	.....	126.....	Veterans Affairs
9:00 a.m.***	.....	437.....	Water, Parks and Wildlife

WEDNESDAY

<i>Time</i>		<i>Room</i>	<i>Committee</i>
1:30 p.m.***	.....	4202.....	Agriculture
9:00 a.m.*	.....	4202.....	Appropriations
!	.....	4202.....	Budget
1:30 p.m.**	.....	4202.....	Education
9:00 a.m.***	.....	126.....	Housing and Community Development
9:00 a.m.*	.....	437.....	Insurance
1:30 p.m.**	.....	447.....	Labor and Employment
1:30 p.m.***	.....	126.....	Local Government
9:00 a.m.**	.....	444.....	Public Employees, Retirement and Social Security

-
- * Meets every week.
 - ** Meets 1st and 3rd week of month as called at time indicated.
 - *** Meets 2nd and 4th week of the month as called at time indicated.
 - ! Upon call of the Chair.

SCHEDULE OF 2003-04 SUBCOMMITTEES

BUDGET

MONDAY

<i>Time</i>		<i>Room</i>	<i>Committee</i>
4:00 p.m.*	.....	127.....	Subcommittee No. 1—Health and Human Services

TUESDAY

<i>Time</i>		<i>Room</i>	<i>Committee</i>
10:00 a.m.*	.....	444.....	Subcommittee No. 2—Education Finance
1:30 p.m.*	.....	447.....	Subcommittee No. 4—State Administration

WEDNESDAY

<i>Time</i>		<i>Room</i>	<i>Committee</i>
1:30 p.m.*	.....	444.....	Subcommittee No. 1—Health and Human Services
4:00 p.m.*	.....	126.....	Subcommittee No. 2—Education Finance
8:00 a.m.*	.....	127.....	Subcommittee No. 3—Resources
1:30 p.m.*	.....	437.....	Subcommittee No. 4—State Administration
4:00 p.m.*	.....	127.....	Subcommittee No. 5—Information Technology/Transportation

-
- * Meets every week.
 - *** Meets 2nd and 4th week of the month as called at time indicated.

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

January 21, 2003

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 items:

1. Selection of Assembly Member Joe Nation as Chair of the Joint Committee on Rules for the 2003–04 Legislative Session (18–0).
2. Appointment of Jon Waldie as Chief Administrative Officer of the Joint Committee on Rules for the 2003–04 Legislative Session (18–0).

Please ensure that this action is printed in the Journal.

Sincerely,

JOE NATION
 Chair

REPORTS

The following reports were presented by the Chief Clerk:

**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 Wesley M. Franklin, Executive Director, Public Utilities Commission, dated December 31, 2002, referred by the Speaker to the Committee on Transportation.

**2001–02 Annual Disabled Veterans Business Enterprise (DVBE)
 Participation Report**

Above transmitted report, together with letter of transmittal from Dana Taylor-Bell, Manager, Business Management Unit, Department of Managed Health Care, dated December 30, 2002, referred by the Speaker to the Committee on Utilities and Commerce.

**Target Business Enterprise Program 2001–02 Annual Report
 (Pursuant to Government Code Section 16855)**

Above transmitted report, together with letter of transmittal from Barbara A. Lloyd, Deputy Treasurer, Office of the State Treasurer, dated December 30, 2002, referred by the Speaker to the Committee on Utilities and Commerce.

**Parole Hearing Backlog November 2002 Report
(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 December 12, 2002, referred by the Speaker to the Committee on Public Safety.

**2001–02 Employment Training Panel Annual Report
(Pursuant to Unemployment Insurance Code Section
Chapter 3.5, Section 10205, Division 3)**

Above transmitted report, together with letter of transmittal from Peter McNamee, Executive Director, Employment Training Panel, dated December 26, 2002, referred by the Speaker to the Committee on Labor and Employment.

**Sampling for Pesticide Residues in California Well Water
(For Sampling Results Reported from July 1, 2000–June 30, 2001)
(Pursuant to Food and Agricultural Code Section 13152)**

Above transmitted report, together with letter of transmittal from Paul E. Helliker, Director, Department of Pesticide Regulation, dated April 10, 2002, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Alcoholic Beverage Control Report to the Legislature
(Pursuant to Assembly Bill 1298, Chapter 488, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Dennis J. Clear, Legislative Officer, Department of Alcoholic Beverage Control, dated December 30, 2002, referred by the Speaker to the Committee on Governmental Organization.

**Summary of Campus Capacity Report for
the 2003–2004 Capital Outlay Program
(Pursuant to Supplemental Budget Act of 2002
Item 6610-301-0574)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated November 25, 2002, referred by the Speaker to the Committee on Budget.

**Capstone Report on Class Size Reduction in California
(Pursuant to Education Code Section 52128)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Department of Education, dated December 12, 2002, referred by the Speaker to the Committee on Education.

**Substance Abuse Treatment Programs
(Pursuant to Supplemental Budget Act of 2001
Item 5240-001-0001)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated December 12, 2002, referred by the Speaker to the Committee on Budget.

**Findings and Recommendations on
the Use of Non-Field Act Compliant Buildings for Public Schools
(Pursuant to Assembly Bill 16, Chapter 33, Statutes of 2002)**

Above transmitted report, together with letter of transmittal from Richard J. McCarthy, Executive Director, Seismic Safety Commission, dated December 20, 2002, referred by the Speaker to the Committee on Education.

**Crimes Committed Against Homeless Persons
(Pursuant to Senate Resolution 18)**

Above transmitted report, together with letter of transmittal from Chris D. Janzen, Director, Administrative Services Division, Department of Justice, dated December 20, 2002, referred by the Speaker to the Committee on Public Safety.

**Annual Staff Report on the Management of State School Lands
Fiscal Year 2001-02
(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 20, 2002, referred by the Speaker to the Committee on Natural Resources.

REQUEST FOR PHOTOGRAPHER

Assembly Members Firebaugh, Correa and Wesson were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, January 21, 2003

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

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly

Bill No.

Committee

46	-----	Pub. S.
77	-----	Trans. and L. Gov.
98	-----	L. & E.
99	-----	Pub. S.
100	-----	Budget
101	-----	Pub. S.
102	-----	Jud.
105	-----	Nat. Res. and Agri.
106	-----	P.E.,R. & S.S.
107	-----	W.,P. & W.
108	-----	Pub. S.
109	-----	P.E.,R. & S.S.
111	-----	Pub. S. and Jud.
112	-----	Pub. S.

<i>House</i>	
<i>Resolution No.</i>	<i>Committee</i>
7 -----	Rls.
8 -----	Rls.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

Date of Hearing: January 21, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Joint Resolution No. 2

With the recommendation: Be adopted.

CORBETT, Chairwoman

Above resolution ordered to third reading.

Committee on Rules

Date of Hearing: January 21, 2003

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 8

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

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 Carl E. London, of Folsom.

(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 Frank Bello, of San Dimas.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 1:15 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Firebaugh introduced Evan Koch, President of the California Nurse Anesthetists and presented a resolution recognizing the period of January 19–25th as Nurse Anesthetists Week.

Evan Koch then addressed the assemblage.

RECONVENED

At 1:16 p.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

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 Terry Douglas Fortier, of Fresno.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Maldonado and Firebaugh were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Capitol staffer John Monteiro, of Sacramento.

(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 Mabel Thomas, of Sacramento.

(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 Shirley Kennedy, of Goleta.

(Assembly Rule 45.5 suspended.)

ADJOURN IN MEMORY

Assembly Members Goldberg and Koretz and Speaker pro Tempore Kehoe were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Morris Kight, of Los Angeles.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 1:26 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Speaker Wesson introduced Mike Scioscia, Team Manager of the Anaheim Angels Baseball Team. Speaker Wesson then presented a resolution congratulating the team upon winning the 2002 World Series, and extending the best wishes of the Assembly for continued success in the future; whereupon Mike Scioscia addressed the assemblage.

Also introduced were Hon. Curt Pringle, Mayor of Anaheim, Kevin Ulich, Senior Vice President of Business Operations; Tim Mead, Vice President of Communications; David Morgan, Anaheim City Manager; Tom Wood, Assistant City Manager, and Greg Smith, Executive Director of the Convention, Sports and Entertainment Department.

RECONVENED

At 1:38 p.m., the Assembly reconvened.

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

CAUCUS ANNOUNCEMENTS

At 1:38 p.m., by unanimous consent the Republican Caucus was permitted to meet in the Assembly Lounge.

RECESS

By unanimous consent, at 1:38 p.m., Speaker pro Tempore Kehoe declared the Assembly recessed.

RECONVENED

At 1:47 p.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY CONCURRENT RESOLUTION NO. 12 (Jerome E. Horton)—
Relative to Dr. Martin Luther King, Jr. Day.

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—74

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

NOES—None

Above resolution ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY CONCURRENT RESOLUTION NO. 4 (Wesson)—Relative to the Anaheim Angels.

Resolution read, and presented by Assembly Member Correa.

Members Made Coauthors of Assembly Concurrent Resolution No. 4

Assembly Member Correa was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 4.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Benoit, Berg, Bogh, Calderon, Canciamilla, Chan, Chu, Cogdill, Cohn, Corbett, Cox, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Haynes, Jerome Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leslie, Levine, Lieber, Liu, Longville, Maldonado, Matthews, Maze, McCarthy, Montanez, Nakano, Negrete McLeod, Nunez, Parra, Pavley, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Strickland, Vargas, Wiggins, Wolk, and Wyland.

Request for Unanimous Consent

Assembly Member Correa was granted unanimous consent to take up Assembly Concurrent Resolution No. 4, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Concurrent Resolution No. 4, as Amended
ASSEMBLY CONCURRENT RESOLUTION NO. 4—Relative to the Anaheim Angels.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

ASSEMBLY JOINT RESOLUTION NO. 2 TAKEN UP BY UNANIMOUS CONSENT

Assembly Member Jackson was granted unanimous consent to take up Assembly Joint Resolution No. 2, without reference to file, and that the same be considered engrossed.

ASSEMBLY JOINT RESOLUTION NO. 2—Relative to the 30th anniversary of Roe v. Wade.

Resolution read.

Members Made Coauthors of Assembly Joint Resolution No. 2

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. 2.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

Correa and Daucher.

Request for Unanimous Consent

Assembly Member Jackson was granted unanimous consent to take up Assembly Joint Resolution No. 2, as amended, without reference to print or file, and that the same be considered engrossed.

Consideration of Assembly Joint Resolution No. 2, as Amended

ASSEMBLY JOINT RESOLUTION NO. 2—Relative to the 30th anniversary of Roe v. Wade.

Resolution read, as amended, and adopted by the following vote:

AYES—47

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

NOES—22

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

Resolution ordered transmitted to the Senate immediately.

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 Mary Mahoney, of Lafayette.

(Assembly Rule 45.5 suspended.)

HOUSE RESOLUTION NO. 6 SET FOR SPECIAL ORDER

Assembly Member Firebaugh was granted unanimous consent that House Resolution No. 6 be made a special order of business for Thursday, January 23, 2003, at 8:30 a.m.

ADJOURN IN MEMORY

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

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 Irene Piro, of Glendale.

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 Carl Bergman, of Lancaster.

VOTE ADDS

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

Assembly Concurrent Resolution No. 12, Concurrence: Bogh, Dutton, La Suer, Leslie, Maddox, and Mountjoy—Aye.

Assembly Joint Resolution No. 2: Bogh—No.

MOTION TO ADJOURN

At 2:35 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Strickland seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:36 p.m., Speaker pro Tempore Kehoe 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. 147—Nation. An act to amend Section 113985 of the Health and Safety Code, relating to food.

ASSEMBLY BILL NO. 148—Dymally. An act to amend Section 60221 of the Water Code, relating to water.

ASSEMBLY BILL NO. 149—Cohn. An act to amend Section 5406.5 of the Labor Code, relating to workers' compensation.

ASSEMBLY BILL NO. 150—Reyes and Spitzer (Coauthors: Chavez, Diaz, Frommer, Longville, Nunez, and Strickland) (Coauthors: Senators Johnson, Scott, and Soto). An act to amend Section 290 of the Penal Code, relating to sex offenders.

ASSEMBLY BILL NO. 151—Vargas. An act to add Section 41514.15 to the Health and Safety Code, relating to air pollution, and making an appropriation therefor.

ASSEMBLY BILL NO. 152—Levine. An act to Amend Section 17280.5 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 153—Calderon. 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.

ASSEMBLY BILL NO. 154—Chan. An act to add Section 12693.305 to the Insurance Code, and to add Section 14093.06 to the Welfare and Institutions Code, relating to health care.

INTRODUCTION OF GUESTS

Assembly Member Cox, of the 5th Assembly District, introduced Hon. Anthony Pescetti, former Assembly Member.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, January 22, 2003, out of respect to the memory of Carl E. London, on motion of Assembly Member Cox; out of respect to the memory of Frank Bello, on motion of Assembly Member Bogh; out of respect to the memory of Terry Douglas Fortier, on motion of Assembly Member Samuelian; out of respect to the memory of Mabel Thomas, on motion of Assembly Member Mountjoy; out of respect to the memory of Shirley Kennedy, on motion of Assembly Member Jackson; out of respect to the memory of Morris Kight, on motion of Assembly Members Goldberg and Koretz, and Speaker pro Tempore Kehoe; out of respect to the memory of David Morton, on motion of Assembly Member Leno; out of respect to the memory of Mary Mahoney, on motion of Assembly Member Canciamilla; out of respect to the memory of Irene Piro, on motion of Assembly Member Montanez; out of respect to the memory of Carl Bergman, on motion of Assembly Member Runner; and out of respect to the memory of John Monteiro, on motion of Assembly Members Maldonado and Firebaugh.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

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