

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 22, 2003
THIRTEENTH SESSION DAY
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
Wednesday, January 22, 2003

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Brian Ebbert reading.

ROLL CALL

The following were placed upon the morning roll call—76:

Aghazarian	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, 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	Nation	Wolk
Diaz	Laird	Negrete McLeod	Wyland
Dutra	Leno	Nunez	Yee
Dutton	Leslie	Pacheco	Mr. Speaker

Quorum present.

At 1:30 p.m., Hon. Mark Wyland, 74th 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, Chavez, Jerome E. Horton, and Oropeza.

EXPLANATIONS OF ABSENCE

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

January 14, 2003

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

Dear Mr. Speaker,

The purpose of this letter is to respectfully inform you that I will be absent for check-in session, Wednesday, January 22nd, 2003. I will be in my district on legislative business.

Thank you in advance for your prompt attention to this matter. Should you have any questions, please contact my Chief of Staff Cory Botts at 319-2073.

Sincerely,

PATRICIA C. BATES, Assembly Member
Seventy-third District

January 9, 2003

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

Dear Mr. Speaker Wesson: I respectfully request permission to travel to my district on January 21, 2003.

I also ask to be excused from session on January 22, to speak at a legislative conference near my district on January 22.

I will return to the Capitol on January 23, in time for session.

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 17, 2003

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 22, 2003. I will be attending the 8th Annual Western Indian Gaming Conference, which will be held at the Pechanga Resort & Casino in Temecula, CA. I will be returning back to Sacramento on Thursday, January 23, 2003, in time for Assembly 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 (916) 207-5100.

Sincerely,

JEROME E. HORTON, Assembly Member
 Fifty-first District

(NOTE: For letter explaining the absence of Assembly Member Oropeza on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for January 21, 2003.)

COMMUNICATIONS

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

January 22, 2003

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

RE: Appointment of Samuel Goetz
 to California Taskforce on Holocaust, Genocide,
 Human Rights, and Tolerance Education

Dear Mr. Wilson: Please be advised I have appointed Dr. Samuel Goetz to the California Taskforce on Holocaust, Genocide, Human Rights, and Tolerance Education. This is a term appointment starting January 22, 2003 and the expiration date is January 22, 2005.

Sincerely,

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

SPECIAL COMMITTEE MEETINGS

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

Health, on Tuesday, February 4, 2003, at 9:30 a.m., in Room 4202;
 Select Committee on California Children's School Readiness and Health, on February 19, 2003, at 10 a.m., in Room 4202;

Joint Committee on Preparing California for the 21st Century, on Thursday, February 20, 2003, at 2 p.m., in Room 317;

Labor and Employment, on Wednesday, March 5, 2003, at 1 p.m., in Millbrae;

Select Committee on Asian Trade, on March 27, 2003, at 1:30 p.m., in Room 447.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 155—Kehoe. An act to amend Section 1050 of the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 156—Maze. An act to add Article 6.5 (commencing with Section 92675) to Chapter 6 of Part 57 of the Education Code, relating to the University of California, and making an appropriation therefor.

ASSEMBLY BILL NO. 157—Salinas. An act to amend Section 401 of the Pajaro River Watershed Flood Prevention Authority Act (Chapter 963 of the Statutes of 1999), relating to water.

ASSEMBLY BILL NO. 158—Runner. An act to amend Section 11383 of the Health and Safety Code, relating to controlled substances.

ASSEMBLY BILL NO. 159—Jerome Horton. An act to add Section 19636 to the Government Code, relating to state employment.

ASSEMBLY BILL NO. 160—Salinas. An act to add Chapter 2.5 (commencing with Section 7285.10) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 161—Dymally. An act to add Section 859.5 to the Penal Code, relating to criminal procedure.

ASSEMBLY BILL NO. 162—Cohn. An act relating to taxation.

ASSEMBLY BILL NO. 163—Nation. An act to add and repeal Section 52086.5 of the Education Code, relating to class size reduction.

ASSEMBLY BILL NO. 164—Jerome Horton. An act to add and repeal Article 17 (commencing with Section 35420) of Chapter 2 of Part 22 of the Education Code, relating to the Inglewood Unified School District.

ASSEMBLY BILL NO. 165—Chan. An act to amend Section 33126 of the Education Code, relating to education

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY JOINT RESOLUTION NO. 3—Jerome Horton. Relative to student financial aid.

HOUSE RESOLUTION NO. 10—Liu, Chan, Chu, Nakano, Yee, Nakanishi, and Shirley Horton. Relative to Lunar New Year Celebration.

**AUTHOR'S AMENDMENTS
Committee on Public Safety**

January 22, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 46

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

LENO, Chairman

ASSEMBLY BILL NO. 46—An act to add Section 1798.86 to the Civil Code, and to amend Section 530.5 of, and to add Section 667.13 to, the Penal Code, relating to identity 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.

REPORTS OF STANDING COMMITTEES
Committee on Education

Date of Hearing: January 15, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 38

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

GOLDBERG, Chairwoman

Above bill ordered to second reading.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, January 23, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JANUARY 22, 2003**

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

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Daily Total: 1

Cumulative Total: 6

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