

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 4, 2003

THIRTY-FOURTH SESSION DAY

NINETY-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, March 4, 2003

The Assembly met at 7 a.m.

Hon. Abel Maldonado, Assembly Member, 33rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Francesca Vega reading.

ROLL CALL

The following were placed upon the morning roll call—78:

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	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	

Quorum present.

At 12 noon, Hon. Ken Maddox, 68th 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 and Jerome E. Horton.

EXPLANATIONS OF ABSENCE

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

February 25, 2003

*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 Tuesday, March 4, and Wednesday, March 5, 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

February 27, 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 and Floor Session Upon Call of the Speaker on Tuesday, March 4, 2003 and Wednesday, March 5, 2003, due to legislative business in my district. I will return to Sacramento on Thursday, March 6, 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

SPECIAL COMMITTEE MEETINGS

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

Assembly Budget Subcommittee No. 5 on Information Technology/Transportation to convene jointly with the Committee on Transportation, on March 12, 2003, at 4:30 p.m., in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 4, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 45

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 4, 2003

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

Assembly Bill No. 54
 Assembly Bill No. 97
 Assembly Bill No. 135
 Assembly Bill No. 202

Assembly Bill No. 207
 Assembly Bill No. 213
 Assembly Bill No. 217
 Assembly Bill No. 228

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. 1727—Committee on Insurance (Vargas (Chair), Calderon, Chavez, Correa, Diaz, Dutra, Jerome Horton, Koretz, Nakano, and Ridley-Thomas). An act to amend Sections 2071, 2074.7, 2074.8, 5093, and 6010 of, and to add Section 677.4 to, the Insurance Code, relating to property insurance.

ASSEMBLY BILL NO. 1728—Committee on Insurance (Vargas (Chair), Calderon, Chavez, Correa, Diaz, Dutra, Jerome Horton, Koretz, Nakano, and Ridley-Thomas). An act to amend Section 10236.12 of the Insurance Code, relating to insurance.

ASSEMBLY BILL NO. 1729—Committee on Insurance (Vargas (Chair), Calderon, Chavez, Correa, Diaz, Dutra, Jerome Horton, Koretz, Nakano, and Ridley-Thomas). An act to amend Section 985 of the Insurance Code, relating to insolvency.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 12—Chan. Relative to the Head Start program.

AUTHOR'S AMENDMENTS Committee on Local Government

March 4, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 127

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

SALINAS, Chairman

ASSEMBLY BILL NO. 127—An act to add Section 96.24 to the Revenue and Taxation Code, relating to local government finance.

Bill read 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 4, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 125
 Assembly Bill No. 233

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

LENO, Chairman

ASSEMBLY BILL NO. 125—An act to amend Sections 11379.6, 11383, and 11644 of, and to add Section 11383.5 to, the Health and Safety Code, relating to controlled 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. 233—An act to amend Section 11379.7 of the Health and Safety Code, and to amend Sections 666.7 and 11160 of the Penal Code, relating to controlled 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 Human Services

March 4, 2003

Mr. Speaker: The Chair of your Committee on Human Services reports:
Assembly Bill No. 179

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

WOLK, Chairwoman

ASSEMBLY BILL NO. 179—An act to amend Sections 130120 and 130150 of the Health and Safety Code, relating to child 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 Insurance

March 4, 2003

Mr. Speaker: The Chair of your Committee on Insurance reports:
Assembly Bill No. 87

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

VARGAS, Chairman

ASSEMBLY BILL NO. 87—An act to add Section 4352.5 to the Labor Code, relating to workers’ compensation, 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 Natural Resources

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Natural Resources reports:
Senate Bill No. 22

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JACKSON, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 2

Assembly Concurrent Resolution No. 7

Assembly Concurrent Resolution No. 17

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DUTRA, Chairman

Above resolutions re-referred to the Committee on Appropriations.

Committee on Revenue and Taxation

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 128

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CHAVEZ, Chairman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 94

With the recommendation: Do pass.

CHAVEZ, Chairman

Above bill ordered to second reading.

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 160

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

CHAVEZ, Chairman

Above bill ordered to second reading.

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Assembly Bill No. 137

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

CHAVEZ, Chairman

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 16

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

JACKSON, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Assembly Bill No. 105

With the recommendation: Do pass, and be re-referred to the Committee on Agriculture.

JACKSON, Chairwoman

Above bill re-referred to the Committee on Agriculture.

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Natural Resources reports:
Assembly Bill No. 142

With the recommendation: Do pass, and re-refer to Committee on Appropriations with
recommendation: To Consent Calendar.

JACKSON, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Public Safety

Date of Hearing: February 25, 2003

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 2
Assembly Bill No. 155

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

LENO, Chairman

Above bills ordered to second reading.

Committee on Judiciary

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 88
Assembly Bill No. 182

With the recommendation: Do pass.

CORBETT, Chairwoman

Above bills ordered to second reading.

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 111

With the recommendation: Do pass, and be re-referred to the Committee on Public
Safety.

CORBETT, Chairwoman

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Joint Resolution No. 6

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.

CORBETT, Chairwoman

Above resolution ordered to Consent Calendar.

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Judiciary reports:
Assembly Bill No. 44

With the recommendation: Do pass, and re-refer to Committee on Appropriations with
recommendation: To Consent Calendar.

CORBETT, Chairwoman

Above bill re-referred to the Committee on Appropriations.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 4, 2003

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

Assembly Concurrent Resolution No. 13

Assembly Concurrent Resolution No. 14

Assembly Concurrent Resolution No. 18

Assembly Concurrent Resolution No. 23

Assembly Concurrent Resolution No. 25

And reports the same correctly enrolled, and presented to the Secretary of State on the 4th day of March, 2003, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 5, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 4, 2003**

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

AB	RN	
87	0306808	
125	0307708	
127	0307181	
179	0307038	
233	0207705	
Daily Total:		5
Cumulative Total:		74

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