

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 5, 2003
THIRTY-FIFTH SESSION DAY
NINETY-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, March 5, 2003

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 Francesca Vega reading.

ROLL CALL

The following were placed upon the morning roll call—74:

Aghazarian	Dutton	Lieber	Pavley
Bates	Dymally	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, 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	Wolk
Correa	La Suer	Nation	Wyland
Cox	Laird	Negrete McLeod	Yee
Daucher	Leno	Nunez	Mr. Speaker
Diaz	Leslie	Pacheco	
Dutra	Levine	Parra	

Quorum present.

At 1:35 p.m., Speaker pro Tempore Christine Kehoe, 76th 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, Firebaugh, and Jerome E. Horton.

Because of illness: Assembly Members Frommer, Oropeza, and Wiggins.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 5, 2003

*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 check-in session on Wednesday, March 5, 2003. 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

(NOTE: For letters explaining the absences of Assembly Members Chavez and Jerome E. Horton on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 4, 2003.)

COMMUNICATIONS

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

March 5, 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 Cindy Montanez and Gloria Negrete McLeod to replace Assemblymembers Manny Diaz and Gene Mullin on the Assembly Education Committee for today's hearing only.

Sincerely,

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

March 4, 2003

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

RE: Appointment of Patricia Bates
to Milton Marks "Little Hoover" Commission on
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Patricia Bates to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy. This is a pleasure appointment starting March 4, 2003. Assemblymember Bates will be replacing Assemblymember Bill Campbell.

Sincerely,

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

March 5, 2003

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

RE: Rescinding the appointment of Fran Pavley
to Advisory Commission on Special Education and
to the Curriculum Development and
Supplemental Materials Commission

Dear Mr. Wilson: Please be advised I have rescinded the reappointment of Assemblymember Fran Pavley to the Advisory Commission on Special Education and to the Curriculum Development and Supplemental Materials Commission effective February 20, 2003. Both Assembly positions are now vacant.

Sincerely,

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

SPECIAL COMMITTEE MEETINGS

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

Select Committee on Mobile Homes to convene jointly with Senate Select Committee on Mobile and Manufactured Homes, on Monday, March 24, 2003, at 10 a.m., in Room 112;

Budget Subcommittee No. 4 to convene jointly with Housing and Community Development on March 13, 2003, in Room 437.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 5, 2003

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

Assembly Bill No. 87

Assembly Bill No. 179

Assembly Bill No. 125

Assembly Bill No. 233

Assembly Bill No. 127

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. 1730—Committee on Utilities and Commerce (Reyes (Chair), Calderon, Canciamilla, Diaz, Levine, Nunez, Ridley-Thomas, and Wolk). An act to add Section 273.5 to the Public Utilities Code, relating to telecommunications.

ASSEMBLY BILL NO. 1731—Committee on Housing and Community Development (Lowenthal (Chair), Cogdill, Dutra, Kehoe, Mullin, Runner, Salinas, and Steinberg). An act to amend Sections 50451, 50452, and 50453 of the Health and Safety Code, relating to housing.

ASSEMBLY BILL NO. 1732—Committee on Housing and Community Development (Lowenthal (Chair), Cogdill, Dutra, Kehoe, Mullin, Runner, Salinas, and Steinberg). 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 Section 18960 of the Health and Safety Code, relating to buildings and developments.

ASSEMBLY BILL NO. 1733—Committee on Utilities and Commerce (Reyes (Chair), Calderon, Canciamilla, Diaz, Jerome Horton, Levine, Nunez, and Ridley-Thomas). An act to amend and repeal Section 454.5 of the Public Utilities Code, relating to electricity.

ASSEMBLY BILL NO. 1734—Committee on Utilities and Commerce (Reyes (Chair), Calderon, Canciamilla, Diaz, Jerome Horton, Levine, Nunez, and Ridley-Thomas). An act to amend and repeal Section 399.4 of, and to add Section 801 to, the Public Utilities Code, relating to energy.

ASSEMBLY BILL NO. 1735—Committee on Utilities and Commerce (Reyes (Chair), Calderon, Canciamilla, Diaz, Jerome Horton, Levine, Nunez, and Ridley-Thomas). An act to add Section 1701.5 to the Public Utilities Code, relating to public utilities.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 58—Nakano. Relative to a Blue Star Memorial Highway.

ASSEMBLY CONCURRENT RESOLUTION NO. 59—Pacheco. Relative to Eagle Scouts.

AUTHOR'S AMENDMENTS**Committee on Health**

March 5, 2003

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

Assembly Bill No. 103

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

FROMMER, Chairman

ASSEMBLY BILL NO. 103—An act to add Section 4168 to the Business and Professions Code, relating to pharmaceuticals.

Bill read 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 5, 2003

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

Assembly Bill No. 70

Assembly Bill No. 181

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

LENO, Chairman

ASSEMBLY BILL NO. 70—An act to amend Section 530.5 of 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.

ASSEMBLY BILL NO. 181—An act to add Section 290.15 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.

REPORTS OF STANDING COMMITTEES
Committee on Health

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 154

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

FROMMER, Chairman

Above bill re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 94—An act to amend Section 96.31 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 160—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.

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

ASSEMBLY BILL NO. 137—An act to repeal Section 18724 of the Revenue and Taxation Code, relating to designated taxpayer contributions.

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. 2—An act to amend Sections 1191.15 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.

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. 155—An act to amend Section 1050 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. 88—An act to add Section 1670.6 to the Civil Code, relating to contracts.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 182—An act to amend Sections 681.030, 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.

Bill read second time, and ordered to third reading.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 5, 2003

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

Assembly Bill No. 182

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

ADJOURNMENT

At 3:40 p.m., the Assembly adjourned until 9 a.m., Thursday, March 6, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 5, 2003**

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

AB	RN	
2	0307722	
70	0307837	
103	0307710	
137	0307726	
155	0307723	
160	0307798	
181	0307854	
Daily Total:		7
Cumulative Total:		81

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