

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, March 12, 2003**

**THIRTY-NINTH SESSION DAY**

**ONE HUNDRED FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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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 12, 2003

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 Francesca Vega reading.

#### ROLL CALL

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

Aghazarian	Dutra	Leno	Nunez
Bates	Dutton	Leslie	Pacheco
Benoit	Dymally	Levine	Parra
Berg	Firebaugh	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	Strickland
Corbett	Kehoe	Mullin	Vargas
Correa	Koretz	Nakanishi	Wolk
Cox	La Malfa	Nakano	Wyland
Daucher	La Suer	Nation	Yee
Diaz	Laird	Negrete McLeod	Mr. Speaker

Quorum present.

**At 11 a.m., Hon. Rick Keene, 3rd 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:

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

**COMMUNICATIONS**

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

March 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 the following members to the Select Committee on Children's Physical and Mental Wellbeing in Diverse California Communities:

- Assemblymember Lynn Daucher
- Assemblymember Mervyn Dymally
- Assemblymember Bonnie Garcia
- Assemblymember Guy Houston
- Assemblymember Sally Lieber
- Assemblymember Fabian Nunez
- Assemblymember Nicole Parra
- Assemblymember Sharon Runner
- Assemblymember Steve Samuelian
- Assemblymember Todd Spitzer
- Assemblymember Juan Vargas
- Assemblymember Lois Wolk

Sincerely,

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

March 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 the following members to the Select Committee on the Development of a 10th UC Campus:

- Assemblymember Greg Aghazarian
- Assemblymember Dave Cogdill
- Assemblymember Jackie Goldberg
- Assemblymember Carol Liu
- Assemblymember Alan Nakanishi
- Assemblymember Nicole Parra
- Assemblymember Sarah Reyes

Sincerely,

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

March 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 Domestic Violence:

Assemblymember Patricia Bates  
Assemblymember Manny Diaz  
Assemblymember John Laird  
Assemblymember Jay La Suer  
Assemblymember Carol Liu  
Assemblymember Gloria Negrete McLeod  
Assemblymember Sarah Reyes  
Assemblymember Juan Vargas  
Assemblymember Lois Wolk

Sincerely,

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

March 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 the following members to the Select Committee on Earthquake Safety and Preparedness:

Assemblymember Patty Berg  
Assemblymember Russ Bogh  
Assemblymember John Dutra  
Assemblymember Marco Firebaugh  
Assemblymember Jackie Goldberg  
Assemblymember Mark Leno  
Assemblymember John Longville  
Assemblymember Keith Richman  
Assemblymember Simon Salinas  
Speaker Herb J. Wesson, Jr.  
Assemblymember Patricia Wiggins  
Assemblymember Mark Wyland

Sincerely,

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

March 12, 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 Assemblymembers to the Select Committee on I-5/710 Freeway Expansion:

Assemblymember Marco Firebaugh  
Assemblymember Carol Liu  
Assemblymember Alan Lowenthal  
Assemblymember Robert Pacheco

Sincerely,

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

March 12, 2003

*E. Dotson Wilson*  
*Chief Clerk*  
*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 Hate Crimes:

Assemblymember Greg Aghazarian  
Assemblymember Marco Firebaugh  
Assemblymember Jackie Goldberg  
Assemblymember Paul Koretz  
Assemblymember Mark Leno  
Assemblymember George Nakano  
Assemblymember Robert Pacheco  
Assemblymember Mark Ridley-Thomas  
Assemblymember Darrell Steinberg

Sincerely,

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

March 12, 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 High Priority Schools for the 2003–04 Regular Session and have appointed the following members to the committee:

Assemblymember Darrell Steinberg, Chair  
Assemblymember Joe Canciamilla  
Assemblymember Dave Cogdill  
Assemblymember Manny Diaz  
Assemblymember Marco Firebaugh  
Assemblymember Jackie Goldberg  
Assemblymember Jerome Horton  
Assemblymember Carol Liu  
Assemblymember Sarah Reyes  
Assemblymember Simon Salinas  
Assemblymember Mark Wyland

Sincerely,

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

March 12, 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 High School and Collegiate Athletics:

Assemblymember John Benoit  
Assemblymember Russ Bogh  
Assemblymember Lynn Daucher  
Assemblymember Hannah-Beth Jackson  
Assemblymember Sally Lieber  
Assemblymember Carol Liu  
Assemblymember Nicole Parra  
Assemblymember Strickland

Sincerely,

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

March 12, 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 Mobilehomes:

Assemblymember Ellen Corbett  
Assemblymember Lou Correa  
Assemblymember Manny Diaz  
Assemblymember Bonnie Garcia  
Assemblymember Ken Maddox  
Assemblymember Nicole Parra

Sincerely,

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

March 12, 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 Wetlands:

Assemblymember Joe Nation, Vice Chair  
Assemblymember Joe Canciamilla  
Assemblymember Tom Harman  
Assemblymember Guy Houston  
Assemblymember Hannah-Beth Jackson  
Assemblymember John Laird  
Assemblymember Abel Maldonado  
Assemblymember Fabian Nunez  
Assemblymember Lois Wolk

Sincerely,

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

March 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 the following members to the Select Committee on Workforce Investment:

Assemblymember Dave Cox  
 Assemblymember Lynn Daucher  
 Assemblymember Manny Diaz  
 Assemblymember Bonnie Garcia  
 Assemblymember Loni Hancock  
 Assemblymember Jerome Horton  
 Assemblymember Carol Liu  
 Assemblymember Sarah Reyes  
 Assemblymember Mark Ridley-Thomas  
 Assemblymember Mark Wyland

Sincerely,

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

#### **SPECIAL COMMITTEE MEETINGS**

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

Budget Subcommittee No. 5 on Transportation to convene jointly with the Committee on Transportation, on March 17, 2003, at 3 p.m., in Room 4202;

Budget Subcommittee No. 1 on Health and Human Services to convene jointly with the Committee on Health, at 4 p.m., in Room 437.

#### **ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 12, 2003

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

Assembly Bill No. 47

Assembly Bill No. 133

Assembly Bill No. 55

Assembly Bill No. 198

Assembly Bill No. 76

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 bill was introduced and read the first time:

**ASSEMBLY BILL NO. 1771—Committee on Water, Parks and Wildlife (Canciamilla (Chair), Berg, Corbett, Frommer, Goldberg, Kehoe, Lowenthal, Matthews, Parra, Pavley, and Wolk).** An act to amend Section 11361 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.



**AUTHOR'S AMENDMENTS**  
**Committee on Labor and Employment**

March 12, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Assembly Bill No. 98

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

KORETZ, Chairman

**ASSEMBLY BILL NO. 98**—An act to add Section 512.5 to 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 Elections, Redistricting and Constitutional Amendments**

March 12, 2003

Mr. Speaker: The Chair of your Committee on Elections, Redistricting and Constitutional Amendments reports:

Assembly Bill No. 190

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

LONGVILLE, Chairman

**ASSEMBLY BILL NO. 190**—An act to amend Section 87407 of the Government Code, relating to the Political Reform Act of 1974.

Bill read 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 12, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 262

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

CORBETT, Chairwoman

**ASSEMBLY BILL NO. 262**—An act to amend Sections 56.05 and 56.10 of the Civil Code, relating to personal information.

Bill read 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 12, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 168  
Assembly Bill No. 201

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

LENO, Chairman

**ASSEMBLY BILL NO. 168**—An act to amend Section 11198 of the Penal Code, relating to imprisonment.

Bill read 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. 201**—An act to amend Section 12070 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.

## REPORTS OF STANDING COMMITTEES

### Committee on Education

Date of Hearing: March 5, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 124

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.

### Committee on Veterans Affairs

Date of Hearing: March 11, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Joint Resolution No. 5

With the recommendation: Be adopted.

PARRA, Chairwoman

Above resolution ordered to third reading.

### Committee on Education

Date of Hearing: March 5, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 97

Assembly Bill No. 165

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

GOLDBERG, Chairwoman

Above bills re-referred to the Committee on Appropriations.

### Committee on Transportation

Date of Hearing: March 3, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Bill No. 13

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

DUTRA, Chairman

Above bill ordered to second reading.

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

**ASSEMBLY BILL NO. 117**—An act to amend Sections 120508 and 120521, and to add Section 120509 to, the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 213**—An act to add Section 9951 to the Vehicle Code, relating to vehicles.

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.

**ASSEMBLY BILL NO. 195**—An act to amend Sections 51890 and 51913 of the Education Code, relating to health education.

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.

**ASSEMBLY CONCURRENT RESOLUTION NO. 10**—Relative to pupil health.

Resolution read; amendments proposed by the Committee on Education read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

**ASSEMBLY BILL NO. 45**—An act to add Section 23123 to the Vehicle Code, relating to vehicles.

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.

**ADJOURNMENT**

At 4:25 p.m., the Assembly adjourned until 9 a.m., Thursday, March 13, 2003.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 12, 2003**

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

**AB RN**

45	0308061
98	0307835
168	0308012
190	0308116
195	0307956
201	0307494
213	0308002
262	0308052

**ACR RN**

10	0307950
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<b>Daily Total:</b>	<b>9</b>
<b>Cumulative Total:</b>	<b>111</b>

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