

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, March 13, 2003

FORTIETH SESSION DAY

ONE HUNDRED 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
Thursday, March 13, 2003

The Assembly met at 9 a.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 Cogdill moved a quorum call of the Assembly.
Motion carried. Time, 9:01 a.m.
The Speaker pro Tempore directed the Sergeant at Arms to close the
doors, and to bring in the absent Members.

Quorum Present

At 9:13 a.m., Speaker pro Tempore Kehoe declared a quorum of the
Assembly present.

The roll call was completed, and the following answered to their
names—76:

Aghazarian	Dutton	Leno	Pacheco
Bates	Dymally	Leslie	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, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Houston	Montanez	Spitzer
Cogdill	Jackson	Mountjoy	Steinberg
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wiggins
Cox	Koretz	Nakano	Wolk
Daucher	La Malfa	Nation	Wyland
Diaz	La Suer	Negrete McLeod	Yee
Dutra	Laird	Nunez	Mr. Speaker

PRAYER

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

Almighty God, We thank You for Your gift of freedom. All thoughts of freedom, truth and peace proceed from You and we pray that, in the hearts of all people, these things be kindled. Guide those who govern the nations of this earth, so that Your kingdom may go forward, and the earth be filled with the knowledge of Your love.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Kehoe, Assembly Member Bates 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 Firebaugh, seconded by Assembly Member Cogdill.

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 Correa, Levine, and Strickland.

Because of illness: Assembly Member Oropeza.

EXPLANATIONS OF ABSENCE

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

March 12, 2003

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

Dear Mr. Speaker: I am writing to respectfully request permission to be excused from floor session on Thursday, March 13th. I will be attending to business in my district.

Thank you for your consideration of my request.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

March 6, 2003

Assemblyman Herb Wesson
Speaker
California State Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I am respectfully requesting authorization to be excused from Assembly Floor Session on Thursday, March 13th to attend an important speaking engagement in my district.

I am scheduled to be the keynote speaker at the Mid Valley Chamber Installation Luncheon. I would appreciate the opportunity to honor this commitment.

Thank you for your consideration of this request.

Sincerely,

LLOYD LEVINE, Assembly Member
 Fortieth District

March 11, 2003

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

Dear Mr. Speaker: I respectfully request that I be excused from Assembly Floor Session on Thursday, March 13, 2003. I have legislative business in my District Office.

If you have any questions regarding this request, please contact Tim Anaya in my Capitol Office at 319-2037.

Sincerely,

TONY STRICKLAND, Assembly Member
 Thirty-seventh District

COMMUNICATIONS

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

March 10, 2003

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

RE: Rescinding the Reappointment of Joe Simitian
 to California Debt and Investment Advisory Commission

Dear Mr. Wilson: Please be advised I have rescinded the reappointment of Assemblymember Joe Simitian to the California Debt and Investment Advisory Commission effective February 20, 2003. The Assemblymember position is now vacant.

Sincerely,

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

March 11, 2003

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

RE: Appointment of Rebecca Cohn
to Domestic Violence Program Advisory Council
(Office of Criminal Justice Planning)

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Rebecca Cohn to the Domestic Violence Program Advisory Council under the Office of Criminal Justice Planning. This is a pleasure appointment starting March 11, 2003.

Sincerely,

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

March 11, 2003

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

RE: Reappointment of Jackie Goldberg
to Domestic Violence Program Advisory Council

Dear Mr. Wilson: Please be advised I have reappointed Assemblymember Jackie Goldberg to the Domestic Violence Program Advisory Council. This is a pleasure appointment starting March 11, 2003.

Sincerely,

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

REPORTS

The following reports were presented by the Chief Clerk:

Medical Services Delivery Plan
(Pursuant to Supplemental Report to the 2001 Budget Act
Item 5240-001-0001)

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated January 17, 2003, referred by the Speaker to the Committee on Budget.

Special Repair Projects
(Pursuant to Supplemental Report to the 2000 Budget Act
Item 5240-001-0001)

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated January 23, 2003, referred by the Speaker to the Committee on Budget.

**Plan for Delivering Pharmaceutical Services:
An Implementation of the Recommendations of FOX Systems, Inc.
(Pursuant to Item 5240-001-0001
Provision 9 of the Budget Act for 2001–02)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated September 26, 2002, referred by the Speaker to the Committee on Budget.

**Reading, Writing, and Mathematics Proficiency of
All First-Time Freshmen
(Pursuant to Supplemental Report to the 2001 Budget Act)**

Above transmitted report, together with letter of transmittal from Richard P. West, Executive Vice Chancellor and Chief Financial Officer, California State University, dated February 20, 2003, referred by the Speaker to the Committee on Budget.

**Report to the California Legislature
on Family Law Information Centers:
An Evaluation of Three Pilot Programs
(Pursuant to Family Code Section 15010(k))**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council of California, dated March 6, 2003, referred by the Speaker to the Committee on Judiciary.

**Year 2001 Utility Procurement of Goods, Services and Fuel from
Women, Minority, and Disabled Veteran-Owned Business Enterprises
(Pursuant to Public Utilities Code Section 8283(e))**

Above transmitted report, together with letter of transmittal from William Ahern, Executive Director, Public Utilities Commission, dated March 5, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**2002 Annual Report of
the California Long Term Care Council
(Pursuant to Assembly Bill 452, Chapter 895
Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Grantland Johnson, Secretary, Health and Human Services Agency, dated March 4, 2003, referred by the Speaker to the Committee on Aging and Long-Term Care.

**Report on the Structure and Effectiveness of
the State's Water Quality Programs
Implementing Federal Clean Water Act Section 303(d)
(Pursuant to Assembly Bill 982, Chapter 495
Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Celeste Cantu, Executive Director, Water Resources Control Board, dated March 7, 2003, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

The following letter of transmittal was presented by the Speaker, and ordered printed in the Journal:

California State Auditor

2002-110
March 11, 2003

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the California State University's (university) Common Management System (CMS). This report concludes that the university did not establish a business case for CMS by preparing a feasibility study report or other analysis demonstrating that CMS is a worthwhile expenditure of university resources. Further, its previous CMS cost projections have understated the full costs of CMS, most recently projected at \$662 million, including \$269 million for maintenance and operations, over the now nine-year development and implementation period. Moreover, it has yet to establish a mechanism to adequately monitor overall systemwide CMS costs, nor establish a systemwide funding plan for the project. Additionally, we noted problems that cast doubt on whether CMS will achieve all the objectives the university intended, nor offer what could have been achieved from a systemwide project.

Although the university followed recommended procurement practices to acquire data center services, its procurements for software and consultants raise questions about the fairness and competitiveness of its practices. For example, its solicitation document for the CMS software procurement did not provide for a method to objectively select one winning vendor, and the university could not demonstrate how it resolved evaluation team concerns. Finally, the university did not do enough to prevent or detect apparent conflicts of interest on CMS-related procurements.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Higher Education.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 13, 2003

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

Assembly Bill No. 45

Assembly Bill No. 195

Assembly Bill No. 98

Assembly Bill No. 201

Assembly Bill No. 168

Assembly Bill No. 213

Assembly Bill No. 190

Assembly Bill No. 262

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 13, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 10
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 13, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Joint Resolution No. 5
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

<i>Bill No.</i>	<i>Committee</i>
433	E.S. & T.M.
454	Nat. Res.
470	L. Gov. and Jud.
525	B. & P.
600	L. Gov. and Jud.
605	Nat. Res.
629	G.O.
652	B. & P.
657	Pub. S.
682	H. & C.D.
685	B. & P. and Health
693	H. & C.D. and Jud.
699	B. & P. and Health
745	Ed. and Higher Ed.
762	G.O.
767	H. & C.D. and Jud.
769	B. & P.
782	Jud.
800	B. & F.
805	H. & C.D.
821	Budget
842	B. & P. and Jud.
853	B. & F.
854	E.S. & T.M.
860	U. & C.
866	Nat. Res.
893	L. Gov.
906	E.S. & T.M.
927	Trans.
932	B. & P.
938	B. & P. and Health
940	B. & P.
941	Health and Pub. S.
944	L. Gov. and Agri.
945	Pub. S.

950 ----- Ed.
955 ----- Jud.
965 ----- A.,E.,S.,T. & I.M.
974 ----- Nat. Res.
980 ----- L. Gov. and H. & C.D.
994 ----- L. Gov.
998 ----- E.S. & T.M.
1002 ----- W.,P. & W.
1006 ----- E.S. & T.M. and Ed.
1007 ----- B. & P.
1008 ----- E.S. & T.M. and Ed.
1010 ----- Higher Ed.
1012 ----- Ed.
1015 ----- L. Gov.
1018 ----- L. & E.
1020 ----- E.S. & T.M. and Jud.
1033 ----- G.O.
1055 ----- Pub. S.
1058 ----- H. & C.D.
1061 ----- L. & E.
1063 ----- Trans.
1068 ----- E.S. & T.M.
1082 ----- P.E.,R. & S.S.
1090 ----- Nat. Res.
1094 ----- B. & P.
1095 ----- Jud.
1096 ----- Trans. and Jud.
1110 ----- E.S. & T.M.
1230 ----- Higher Ed.
1247 ----- E.S. & T.M. and Nat. Res.
1272 ----- Trans.
1277 ----- Pub. S.
1287 ----- H. & C.D.
1294 ----- B. & F.
1300 ----- Nat. Res.
1301 ----- Pub. S.
1355 ----- B. & F.
1368 ----- B. & F.
1388 ----- B. & P.
1394 ----- E.S. & T.M. and Trans.
1402 ----- Hum. S.
1403 ----- Hum. S.
1412 ----- Rev. & Tax. and Appr.
1448 ----- Jud.
1449 ----- G.O.
1460 ----- B. & P. and Health
1467 ----- B. & P.
1500 ----- E.S. & T.M. and Trans.
1516 ----- Jud.
1557 ----- L. & E.
1573 ----- B. & P.
1617 ----- Jud. and L. & E.
1685 ----- U. & C. and Nat. Res.
1699 ----- E.S. & T.M.

1700	-----	E.S. & T.M.
1701	-----	E.S. & T.M.
1712	-----	Jud.
1717	-----	Trans.
1718	-----	Trans.
1719	-----	L. & E.
1720	-----	L. & E.
1721	-----	L. & E.
1722	-----	L. & E.
1723	-----	L. & E.
1725	-----	Agri.
1726	-----	Agri.
1727	-----	Ins.
1728	-----	Ins.
1729	-----	Ins.

Assembly Concurrent

<i>Resolution No.</i>	<i>Committee</i>
54	----- Trans.
55	----- Nat. Res.
59	----- Jud.

Assembly Joint

<i>Resolution No.</i>	<i>Committee</i>
12	----- Hum. S.

House

<i>Resolution No.</i>	<i>Committee</i>
16	----- Rls.
20	----- Rls.

AUTHOR'S AMENDMENTS
Committee on Education

March 13, 2003

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

Assembly Bill No. 115

Assembly Bill No. 225

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

GOLDBERG, Chairwoman

ASSEMBLY BILL NO. 115—An act to amend Sections 35294.7, 35294.8, and 44276.1 of, and to add Section 44276.2 to, the Education Code, relating to school safety.

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. 225—An act to add Section 17280.7 to the Education Code, relating to school facilities.

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 Local Government

March 13, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:
Assembly Bill No. 332

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

SALINAS, Chairman

ASSEMBLY BILL NO. 332—An act to amend Sections 21670, 21676, 21676.5, 21677, and 21678 of the Public Utilities Code, relating to airports.

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.

RE-REFERENCE OF BILLS

Assembly Member Chan was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 422 from the Committee on Human Services, to the Committee on Education;

Assembly Bill No. 353 from the Committee on Judiciary, to the Committee on Human Services;

Assembly Bill No. 540 from the Committee on Judiciary, to the Committee on Health.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 160, on request of Assembly Member Salinas.

REQUEST FOR PHOTOGRAPHER

Assembly Member Nation was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

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 John James Logan, of Fairfield.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:19 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Nation introduced Paul A. Smith of his staff, and presented a resolution commending his exemplary service to the State of California and extending best wishes as he leaves his position with the State Assembly.

RECONVENED

At 9:21 a.m., the Assembly reconvened.

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

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

ASSEMBLY BILL NO. 124—An act to amend Section 17052 of the Education Code, relating to school facilities.

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 BILL NO. 13—An act to add and repeal Section 118.7 of the Streets and Highways Code, relating to the Department of Transportation.

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 Rules.

THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 88 (Corbett)—An act to add Section 1670.6 to the Civil Code, relating to contracts.

Bill read third time.

Motion to Amend

Assembly Member Corbett moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**At 9:22 a.m., Assistant Speaker pro Tempore Yee
12th District, presiding**

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

Bill read third time, and passed by the following vote:

AYES—72

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

NOES—None

Bill ordered transmitted to the Senate.

BILLS PLACED ON INACTIVE FILE

The following bill was placed upon the inactive file:

Assembly Bill No. 101, on request of Assembly Member La Suer.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)**

ASSEMBLY BILL NO. 96 (Bermudez)—An act to amend Sections 44395, 44396, 44510, 44735, 44751, 44752, 48200.7, 51101, 52054, 52055.52, 52055.600, 52055.605, 52055.610, 52055.615, 52055.620, 52055.625, 52055.650, 52055.655, 52055.656, 52058.1, 58907, 58916, 66941, 69440, 69532, 69612, 69613.1, 69615.4, 70001, 70003, 70005, 99200, 99203, 99220, and 99234 of, to amend the heading of Article 3.5 (commencing with Section 52055.600) of Chapter 6.1 of Part 28 of, the Education Code, and to amend Sections 8869.80 and 8869.84 of the Government Code, relating to schools.

Bill read third time, and passed by the following vote:

AYES—53

Benoit	Firebaugh	Longville	Pavley
Berg	Frommer	Lowenthal	Reyes
Bermudez	Garcia	Maddox	Ridley-Thomas
Calderon	Goldberg	Matthews	Salinas
Canciamilla	Hancock	Maze	Spitzer
Chan	Horton, Jerome	Montanez	Steinberg
Chavez	Horton, Shirley	Mullin	Vargas
Chu	Jackson	Nakanishi	Wiggins
Cohn	Kehoe	Nakano	Wolk
Corbett	Koretz	Nation	Yee
Daucher	Laird	Negrete McLeod	Mr. Speaker
Diaz	Leno	Nunez	
Dutra	Lieber	Pacheco	
Dymally	Liu	Parra	

NOES—22

Aghazarian	Dutton	La Suer	Richman
Bates	Harman	Leslie	Runner
Bogh	Haynes	Maldonado	Samuelian
Campbell	Houston	McCarthy	Wyland
Cogdill	Keene	Mountjoy	
Cox	La Malfa	Plescia	

Bill ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION NO. 48 (Runner)—Relative to Endometriosis Awareness Month.

Resolution read.

Motion to Amend

Assembly Member Runner moved the adoption of amendments.

Amendments read and adopted; resolution ordered reprinted, and to be returned to the third reading file.

At 10:08 a.m., Speaker pro Tempore Kehoe, 76th District, presiding

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Resolutions

ASSEMBLY CONCURRENT RESOLUTION NO. 32 (Richman)—Relative to California Nonprofits and Philanthropy Week.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's
Consent Calendar roll call.)*

ASSEMBLY CONCURRENT RESOLUTION NO. 33 (Nation)—Relative to the Day of the Horse.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

ASSEMBLY CONCURRENT RESOLUTION NO. 52 (Maddox)—Relative to mosquito and vector control.

Resolution read, adopted, and ordered transmitted to the Senate.

(For the vote on the above resolution, see this day's Consent Calendar roll call.)

Consent Calendar—Assembly Bill

ASSEMBLY BILL NO. 36 (Wyland)—An act to amend Section 52056 of the Education Code, relating to academic achievement.

Bill read third time, passed, and ordered transmitted to the Senate.

(For the vote on the above bill, see this day's Consent Calendar roll call.)

Consent Calendar Roll Call

The roll was called, and the above bills on the Consent Calendar passed, by the following vote:

AYES—76

Aghazarian	Dutton	Leno	Pacheco
Bates	Dymally	Leslie	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, Jerome	Maze	Samuelian
Chavez	Horton, Shirley	McCarthy	Simitian
Chu	Houston	Montanez	Spitzer
Cogdill	Jackson	Mountjoy	Steinberg
Cohn	Keene	Mullin	Vargas
Corbett	Kehoe	Nakanishi	Wiggins
Cox	Koretz	Nakano	Wolk
Daucher	La Malfa	Nation	Wyland
Diaz	La Suer	Negrete McLeod	Yee
Dutra	Laird	Nunez	Mr. Speaker

NOES—None

ADJOURN IN MEMORY

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joe Gomez, of West Covina.

Assembly Member Shirley Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John George Cox, of Lemon Grove.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eric Brower, of Fresno.

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 Henri Pierre Biscayart, of Lancaster and Dustin Joseph Meraz, of Palmdale.

Assembly Member Wolk was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert L. Isbell, of Davis and Dorothy Lillian West, of Davis.

VOTE ADDS

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

Assembly Bill No. 155: Calderon, Canciamilla, Chavez, Diaz, Frommer, Garcia, Jerome Horton, Houston, Longville, Lowenthal, Maddox, Pavley, and Wyland—Aye.

Assembly Bill No. 96: Canciamilla and Maddox—Aye.

Consent Calendar: Garcia—Aye.

MOTION TO ADJOURN

At 10:11 a.m., Assembly Member Bogh moved that the Assembly do now adjourn.

Assembly Member Dutra seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Leslie arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Bogh that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 10:12 a.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. 1772—Committee on Banking and Finance (Wiggins (Chair), Calderon, Chan, Chavez, Correa, Montanez, and Vargas). An act to amend Section 530.8 of the Penal Code, relating to identity theft.

ASSEMBLY BILL NO. 1773—Committee on Banking and Finance (Wiggins (Chair), Chan, Chavez, Correa, Montanez, and Vargas). An act to amend Section 786 of the Penal Code, relating to venue.

ASSEMBLY BILL NO. 1774—Committee on Banking and Finance (Wiggins (Chair), Calderon, Chan, Chavez, Correa, Montanez, and Vargas). An act to amend Sections 261, 772, 1500, 1560, 1808, 1900, 4839, 4843, 4946, 8152, 14250, 14354, 16151, 16701, 31507, and 33903 of, to amend and renumber Sections 4879.12, 4879.13, and 4879.135 of, and to repeal Section 8012 of, the Financial Code, relating to financial institutions.

ASSEMBLY BILL NO. 1775—Committee on Banking and Finance (Wiggins (Chair), Calderon, Chan, Chavez, Correa, Montanez, and Vargas). An act to amend Section 1800.5 of the Financial Code, relating to money transmitters.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 64—**Jackson (Coauthors: Bates, Chan, Chu, Cohn, Corbett, Daucher, Goldberg, Kehoe, Lieber, Liu, Negrete McLeod, Oropeza, Parra, Reyes, Ridley-Thomas, Runner, Wesson, Wiggins, and Wolk) (Coauthors: Senators Alpert, Bowen, Ducheny, Escutia, Figueroa, Kuehl, Ortiz, Soto, and Speier).** Relative to Sexual Assault Awareness Month.

AUTHOR'S AMENDMENTS
Committee on Education

March 13, 2003

Mr. Speaker: The Chair of your Committee on Education reports:
 Assembly Bill No. 335

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

GOLDBERG, Chairwoman

ASSEMBLY BILL NO. 335—An act to amend Section 69997 of the Education Code, relating to scholarships.

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 Labor and Employment

March 13, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:
 Assembly Bill No. 274
 Assembly Bill No. 276

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

KORETZ, Chairman

ASSEMBLY BILL NO. 274—An act to add Section 1182.9 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.

ASSEMBLY BILL NO. 276—An act to amend Sections 23, 210, 225.5, 226, 605, 752, 1021, 1021.5, and 1197.1 of 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 Public Safety

March 13, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:
 Assembly Bill No. 140

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

LENO, Chairman

ASSEMBLY BILL NO. 140—An act to amend Sections 2800.1, 2800.2, and 2800.3 of the Vehicle Code, relating to vehicles.

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 Appropriations

March 13, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Assembly Bill No. 163

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

STEINBERG, Chairman

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

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 Health

March 13, 2003

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 171
Assembly Bill No. 232

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

FROMMER, Chairman

ASSEMBLY BILL NO. 171—An act to amend Section 6276.24 of the Government Code, and to amend Section 14087.38 of the Welfare and Institutions Code, relating to Medi-Cal.

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. 232—An act to add Article 3 (commencing with Section 127400) to Chapter 2 of Part 2 of Division 107 of the Health and Safety Code, relating to hospitals.

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 13, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 167
Assembly Bill No. 286
Assembly Bill No. 309

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 167—An act to amend Sections 1004, 6327, 8852, 9761, 9884, 10151, 10534, 11952, 13601, 19054, and 21401 of, and to amend and renumber Section 26112 of, the Probate Code, relating to probate.

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. 286—An act to add Section 3125 to the Civil Code, relating to mechanics' liens.

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. 309—An act to amend Section 1632 of the Civil Code, relating to contracts.

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 Environmental Safety and Toxic Materials

March 13, 2003

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 83

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

LAIRD, Chairman

ASSEMBLY BILL NO. 83—An act to add Section 111197 to the Health and Safety Code, relating to drinking water.

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 Natural Resources

March 13, 2003

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Assembly Bill No. 204

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

JACKSON, Chairwoman

ASSEMBLY BILL NO. 204—An act to amend Section 31164 of, and to add Sections 31165, 31166, and 31167 to, the Public Resources Code, and to add Section 9250.20 to the Vehicle Code, relating to the State Coastal Conservancy.

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 Rules

Date of Hearing: March 13, 2003

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 56

Assembly Concurrent Resolution No. 57

With the recommendation: Be adopted.

NATION, Chairman

Above resolutions ordered to third reading.

Date of Hearing: March 13, 2003

Mr. Speaker: Your Committee on Rules reports:
Assembly Concurrent Resolution No. 49

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.

NATION, Chairman

Above resolution ordered to Consent Calendar.

Date of Hearing: March 13, 2003

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 19

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.

NATION, Chairman

Above resolution ordered to Consent Calendar.

Date of Hearing: March 13, 2003

Mr. Speaker: Your Committee on Rules reports:
House Resolution No. 9
House Resolution No. 18

With the recommendation: Be adopted.

NATION, Chairman

Above resolutions ordered to third reading.

Committee on Public Safety

Date of Hearing: February 25, 2003

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 6

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

LENO, Chairman

Above bill ordered to second reading.

Date of Hearing: March 11, 2003

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 191
Assembly Bill No. 283

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

LENO, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 11, 2003

Mr. Speaker: Your Committee on Public Safety reports:
Assembly Bill No. 118
Assembly Bill No. 135

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

LENO, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 11, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 70

Assembly Bill No. 150

With the recommendation: Do pass.

LENO, Chairman

Above bills ordered to second reading.

Committee on Health

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 203

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

FROMMER, Chairman

Above bill ordered to second reading.

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 9

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

FROMMER, Chairman

Above bill ordered to second reading.

Date of Hearing: March 4, 2003

Mr. Speaker: Your Committee on Health reports:

House Resolution No. 12

With amendments with the recommendation: Amend, and be adopted as amended.

FROMMER, Chairman

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 13, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 61

Senate Bill No. 62

Senate Bill No. 63

Senate Bill No. 104

Senate Bill No. 1070

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bills were read the first time:

SENATE BILL NO. 61—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 62—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 63—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time wherein actions may be commenced.

SENATE BILL NO. 104—An act to amend Section 384 of the Streets and Highways Code, relating to state highways, and declaring the urgency thereof, to take effect immediately.

SENATE BILL NO. 1070—An act to make an appropriation in augmentation of the Budget Act of 2002, relating to contingencies or emergencies, to take effect immediately as an appropriation for the usual current expenses of the state.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Bogh, the Assembly adjourned until 12 noon, Monday, March 17, 2003, out of respect to the memory of John James Logan, on motion of Assembly Member Cox; out of respect to the memory of Joe Gomez, on motion of Assembly Member Chavez; out of respect to the memory of John George Cox, on motion of Assembly Member Shirley Horton; out of respect to the memory of Eric Brower, on motion of Assembly Member Reyes; out of respect to the memory of Henri Pierre Biscayart and Dustin Joseph Meraz, on motion of Assembly Member Runner; and out of respect to the memory of Robert L. Isbell and Dorothy Lillian West on motion of Assembly Member Wolk.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 13, 2003**

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

AB RN

13	0308112
83	0307884
88	0308110
115	0308145
124	0307957
140	0308025
163	0307951
167	0308167
171	0307980
204	0308210
225	0307858
232	0308044
274	0308071
276	0308230
286	0308166
309	0308205
332	0307615
335	0307289

ACR RN

48	0307855
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Daily Total:	19
Cumulative Total:	130

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