

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, March 18, 2003

FORTY-SECOND SESSION DAY

ONE HUNDRED SEVENTH 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 18, 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 Francesca Vega reading.

ROLL CALL

The following were placed upon the morning roll call—77:

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

Quorum present.

At 2:02 p.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:

On legislative business: Assembly Member Simitian.

On personal business, and waiving per diem: Assembly Members Liu and Strickland.

EXPLANATIONS OF ABSENCE

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

March 14, 2003

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

Dear Speaker Wesson,

This is a request to be excused from Check-In Session on Tuesday, March 18, 2003 for legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
Twenty-first District

COMMUNICATIONS

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

March 18, 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 California Indian Nations:

- Assemblymember Robert Pacheco, Vice Chair
- Assemblymember Patty Berg
- Assemblymember Mervyn Dymally
- Assemblymember Dario Frommer
- Assemblymember Lloyd Levine
- Assemblymember John Longville
- Assemblymember Alan Lowenthal
- Assemblymember Ken Maddox
- Assemblymember George Plescia
- Assemblymember Simon Salinas

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 18, 2003

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

- Assembly Bill No. 6
- Assembly Bill No. 9
- Assembly Bill No. 203

- Assembly Bill No. 303
- Assembly Bill No. 346

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 12
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
House Resolution No. 5
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, March 18, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 14
Assembly Bill No. 78
Assembly Bill No. 107
Assembly Bill No. 212
And reports the same correctly engrossed.

Assembly Bill No. 292
Assembly Bill No. 341
Assembly Bill No. 356

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. 1776—Committee on Banking and Finance (Wiggins (Chair), Calderon, Chan, Chavez, Correa, Montanez, and Vargas). An act to amend Section 2105 of the Corporations Code, relating to foreign corporations.

ASSEMBLY BILL NO. 1777—Committee on Business and Professions (Correa (Chair), Corbett, Koretz, Leno, Nation, Vargas, and Yee). An act to amend Sections 2475.3, 2481, 2483, 2484, 2878.5, 3732, 3750, 3750.6, 3760, 3761, 3775, 3775.2, 3777, and 4521 of, to add Sections 3775.6 and 3778 to, and to repeal Sections 3714, 3721, 3733, 3736.5, 3737, and 3751.1 of, the Business and Professions Code, relating to healing arts.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 65—Firebaugh. Relative to Cinco de Mayo Week.

ASSEMBLY JOINT RESOLUTION NO. 15—Plescia. Relative to the war in Iraq.

ASSEMBLY JOINT RESOLUTION NO. 16—Koretz and Leno (Coauthors: Goldberg, Kehoe, Laird, and Lieber) (Coauthors: Senators Kuehl and Vasconcellos). Relative to nonoxynol-9.

AUTHOR'S AMENDMENTS

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

March 18, 2003

Mr. Speaker: The Chair of your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Bill No. 245

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

COHN, Chairwoman

ASSEMBLY BILL NO. 245—An act to add Section 243.9 to the Penal Code, relating to crimes.

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 18, 2003

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 344

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

JACKSON, Chairwoman

ASSEMBLY BILL NO. 344—An act to amend Section 4584 of the Public Resources Code, relating to forest resources.

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 Business and Professions

March 18, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
Assembly Bill No. 202

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

CORREA, Chairman

ASSEMBLY BILL NO. 202—An act to add Chapter 6 (commencing with Section 122320) to Part 6 of Division 105 of the Health and Safety Code, relating to birds.

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 18, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:
Assembly Bill No. 158

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

LENO, Chairman

ASSEMBLY BILL NO. 158—An act to amend Section 11383 of 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.

AUTHOR’S AMENDMENTS
Committee on Utilities and Commerce

March 18, 2003

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:
Assembly Bill No. 84

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

REYES, Chairperson

ASSEMBLY BILL NO. 84—An act to amend Section 421 of the Public Utilities Code, relating to public utilities.

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 Transportation

Date of Hearing: March 17, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 30

Assembly Concurrent Resolution No. 38

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 17, 2003

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

Assembly Bill No. 322

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.

Committee on Transportation

Date of Hearing: March 17, 2003

Mr. Speaker: Your Committee on Transportation reports:

Assembly Concurrent Resolution No. 39

With the recommendation: Be adopted, as amended.

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.

DUTRA, Chairman

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: March 18, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Concurrent Resolution No. 43

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 18, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 159

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

CORBETT, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: March 18, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 167

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

CORBETT, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 18, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 309

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

CORBETT, Chairwoman

Above bill re-referred to the Committee on Banking and Finance.

Date of Hearing: March 18, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 270

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.

Committee on Public Safety

Date of Hearing: March 11, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 46

Assembly Bill No. 207

Assembly Bill No. 261

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

LENO, Chairman

Above bills ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 17, 2003

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

Senate Bill No. 459

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 459—An act to amend Sections 731, 779, 780, 1000.7, 1009, 1176, 1177, 1178, 1179, 1703, 1712, 1714, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1725, 1726, 1732.8, 1737, 1737.1, 1752.82, 1754, 1757, 1760, 1765, 1766, 1766.1, 1767.1, 1767.3, 1767.4, 1767.5, 1768.10, 1772, 1778, 1780, 1781, 1800, 1802, and 1830 of, to add Section 1731.8 to, and to repeal Sections 1724 and 1727 of, the Welfare and Institutions Code, relating to juvenile offenders, making an appropriation therefor, to take effect immediately, as an appropriation for the usual and current expenses of the state.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 19, 2003.

HERB J. WESSON, JR., Speaker

TRESHA PETIT-PHAR, Acting Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 18, 2003**

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

AB	RN	
84	0308201	
158	0308288	
202	0308320	
245	0308030	
344	0308227	
Daily Total:		5
Cumulative Total:		149

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