

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Friday, March 28, 2003**

**FORTY-NINTH SESSION DAY**

**ONE HUNDRED SEVENTEENTH 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  
Friday, March 28, 2003

The Assembly met at 8:30 a.m.  
Hon. Christine Kehoe, Speaker pro Tempore of the Assembly,  
presiding.  
Chief Clerk E. Dotson Wilson at the Desk.  
Assistant Clerk Sue Parker reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cox moved a quorum call of the Assembly.  
Motion carried. Time, 8:31 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 8:40 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—50:

Aghazarian	Dutra	Lieber	Reyes
Bates	Dymally	Lowenthal	Richman
Benoit	Garcia	Matthews	Ridley-Thomas
Berg	Goldberg	Maze	Salinas
Bermudez	Horton, Shirley	McCarthy	Samuelian
Bogh	Jackson	Mountjoy	Steinberg
Canciamilla	Keene	Mullin	Strickland
Chan	Kehoe	Nakanishi	Vargas
Chu	La Suer	Nakano	Wiggins
Cogdill	Laird	Nation	Wolk
Corbett	Leno	Negrete McLeod	Wyland
Cox	Leslie	Pacheco	
Daucher	Levine	Plescia	

**PRAYER**

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Father Lino Otero, LC, Santuario Nacional de Nuestra Señora de Guadalupe:

*Lord God, Creator of the universe, You appointed men and women to collaborate in the task of making this work of Yours a most perfect world. Grant us that through the example of Cesar Chavez we may fulfill the tasks that You delegate for us and that we may receive the reward that You have in store for us. We ask this through Our Lord Jesus Christ Who lives and reigns with You in the unity of the Holy Spirit, one God forever and ever.—AMEN.*

**Prayer of the Farm Workers' Struggle**

Written by César E. Chávez, UFW Founder (1927–1993)

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Show me the suffering of the most miserable;  
 So I will know my people's plight.  
 Free me to pray for others;  
 For you are present in every person.  
 Help me take responsibility for my own life;  
 So that I can be free at last.  
 Grant me courage to serve others;  
 For in service there is true life.  
 Give me honesty and patience;  
 So that the Spirit will be alive among us.  
 Let the Spirit flourish and grow;  
 So that we will never tire of the struggle.  
 Let us remember those who have died for justice;  
 For they have given us life.  
 Help us love even those who hate us;  
 So we can change the world  
 Amen

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Salinas 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 Chan, 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 Calderon, Campbell, Chavez, Correa, Diaz, Dutton, Firebaugh, Frommer, Hancock, Harman, Haynes, Houston, Koretz, La Malfa, Longville, Maddox, Maldonado, Montanez, Nunez, Parra, Pavley, Runner, Simitian, Spitzer, Wesson and Yee.*

*On personal business, and waiving per diem: Assembly Member Liu.*

*Because of travel delays: Assembly Member Cohn.*

*Because of illness: Assembly Members Jerome E. Horton and Oropeza.*

**EXPLANATIONS OF ABSENCE**

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

March 24, 2003

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

Dear Mr. Speaker: I am writing today to request to be excused from Session, Friday, March 28, 2003 to attend legislative business in my district office. If you have any questions please contact Tiffany Morrison at (916) 319-2058.

Sincerely,

RONALD S. CALDERON, Assembly Member  
 Fifty-eighth District

March 12, 2003

*The Honorable Herb Wesson, Speaker*  
*California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Wesson: I respectfully request to be excused from Session on Friday, March 28th, 2003, due to legislative business in my district.

Thank you for your consideration of this request. If you have any questions, please do not hesitate to contact me at (916) 319-2070.

Sincerely,

JOHN CAMPBELL, Assembly Member  
 Seventieth District

March 10, 2003

*The Honorable Herb J. Wesson, Jr.*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Speaker Wesson: Please excuse me from floor session on Friday, March 28, 2003. I will be attending to legislative business in the district. Also, please note that I am waiving per diem for Saturday, March 29 through Monday, March 31st.

Thank you.

Sincerely,

LOU CORREA, Assembly Member  
 Sixty-ninth District

March 24, 2003

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

Dear Mr. Speaker: The purpose of this letter is to respectfully request permission to be excused from session on Friday, March 28, 2003. I have imperative legislative business to attend to in my district.

Your consideration of this matter is greatly appreciated. If you have any question please do not hesitate to contact my chief of staff, Sandra Pizarro at 916.319.2023.

Sincerely,

MANNY DIAZ, Assembly Member  
Twenty-third District

March 21, 2003

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

Dear Assemblyman Wesson: Please excuse me from session on Friday, March 28, 2003. I will be in my district conducting legislative business.

Sincerely

ROBERT DUTTON, Assembly Member  
Sixty-third District

March 13, 2003

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

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on Friday, March 28, 2003. I have meetings scheduled in my District Office.

Thank you for your attention to this request. If you have any questions, please telephone my scheduler, Maria Campos, at 319-2043.

Sincerely,

DARIO FROMMER, Assembly Member  
Forty-third District

March 25, 2003

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

Dear Mr. Speaker: I respectfully request an excused absence from Session on March 28, 2003. I have legislative business in the District.

Sincerely,

LONI HANCOCK, Assembly Member  
Fourteenth District

March 6, 2003

*Hon. Herb J. Wesson, Jr., Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: In the event negotiations on the budget accelerate and you call Session on Friday, March 28th, I respectfully request to be excused. I plan to be in my district on legislative business.

Peter Crandall is my staff contact but, as always, feel free to call me if you have any questions.

Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member  
Sixty-seventh District

March 13, 2003

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

Dear Mr. Speaker: Please excuse me, Assemblyman Ray Haynes, District #66, from Assembly Session on Friday, March 28, 2003. I am a Board Member of the American Legislative Exchange Council (ALEC), and I will be attending ALEC'S Spring Task Force Summit in Las Vegas, Nevada, March 28–30.

Thank you for your consideration in this matter.

Sincerely,

RAY HAYNES, Assembly Member  
Sixty-sixth District

March 18, 2003

*The Honorable Herb Wesson  
Speaker, California State Assembly  
State Capitol  
Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on Friday, March 28, 2003 for legislative meetings in my district.

If you have any questions, please contact Sarah Sproue in my office at 319-2015. Thank you for your consideration of this request.

Sincerely,

GUY S. HOUSTON, Assembly Member  
Fifteenth District

March 11, 2003

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

Dear Mr. Speaker: I respectfully request to be excused from floor session on Friday, March 28th, 2003 due to legislative business in my district.

Should you have any questions, please contact Tish Becerra in my Capitol office at 319-2042. Thank you for your consideration of this request.

Cordially,

PAUL KORETZ, Assembly Member  
Forty-second District

March 26, 2003

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

Dear Mr. Speaker: I respectfully request to be excused from Session, March 28, 2003. I will be in my district attending to legislative business.

Thank you for your consideration of this matter. If you have any questions or concerns, please contact me at 319-2002

Sincerely,

DOUG LA MALFA, Assembly Member  
Second District

March 28, 2003

*The Honorable Herb Wesson  
Speaker of California Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: This is to request approval to be excused from session on March 28, 2003 due to legislative business in the District.

Thank you for your consideration of this request. If your staff should have any further questions or require further information, please feel free to contact Traci Holt at 319-2062

Respectfully,

JOHN LONGVILLE, Assembly Member  
Sixty-second District

March 21, 2003

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

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Friday, March 28th. I will be in my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member  
Sixty-eighth District

March 27, 2003

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

Dear Mr. Speaker: I am writing to request that I be excused from Floor Session on Friday, March 28, 2003, due to legislative business in my district.

Thanking you in advance for your consideration of my request.

Sincerely,

ABEL MALDONADO, Assembly Member  
Thirty-third District

March 12, 2003

*The Honorable Herb Wesson*  
*Speaker, California State Assembly*  
*State Capitol, Room 219*  
*Sacramento, California*

Dear Mr. Speaker: I respectfully request to be excused from Session on March 28, 2003 to attend Legislative Business in my district. If there are any questions or concerns, please feel free to contact my Chief of Staff, Jo-Ellen McChesney, at 319-2039.

Sincerely,

CINDY MONTAÑEZ, Assembly Member  
Thirty-ninth District



March 19, 2003

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

Dear Mr. Speaker: I respectfully request permission to return to my district on Thursday, March 27, 2003. I also request permission to be excused from session on Friday, March 28, 2003 in order to conduct legislative business in my district.

Your courtesy and cooperation with regard to the above is greatly appreciated.

Sincerely,

FABIAN NUÑEZ, Assembly Member  
Forty-sixth District

March 20, 2003

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

Dear Speaker Wesson: Please excuse me from floor session on March 28, 2003. I will be in my district conducting legislative business.

If you have any questions regarding this request, please contact my Chief of Staff, Bob Pence at 319-2030.

Sincerely,

NICOLE M. PARRA, Assembly Member  
Thirtieth District

March 17, 2003

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

Dear Mr. Speaker: I respectfully request permission to be excused from Assembly Floor Session on Friday, March 28, 2003. I have several very important district events to attend that I can not miss.

Thank you for your assistance. Please contact my office should any questions arise.

Sincerely,

FRAN PAVLEY, Assembly Member  
Forty-first District

March 13, 2003

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

Dear Speaker Wesson: I am writing to request an excused absence from session on, March 28, 2003 to attend to legislative business in my district.

Thank you for your favorite consideration of this request. Should you have any questions, please contact Will Smith, Chief of Staff at 319-2036.

Sincerely,

SHARON RUNNER, Assembly Member  
Thirty-sixth District

March 13, 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 Friday, March 28, 2003 for legislative business.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member  
Twenty-first District

March 12, 2003

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

Dear Mr. Speaker: I would like to be excused from session due to legislative business on Friday, March 28, 2003. I am meeting with the Mayor and Councilmen from the City of Mission Viejo at their offices. Also, I am giving a speech on the budget crisis to the Lincoln Club of Orange County.

Your consideration on this matter is appreciated.

Sincerely,

TODD SPITZER, Assembly Member  
Seventy-first District

March 26th 2003

*Speaker Herb J. Wesson Jr.  
California State Assembly  
Room 219, State Capitol  
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from the Assembly Floor Session on Friday March 28th. I will be in my district during that time attending to legislative business.

Sincerely,

LELAND Y. YEE, Ph.D., Assembly Member  
Twelfth District

March 6, 2003

*E. Dotson Wilson  
Chief Clerk of the Assembly  
State Capitol, Room 3196  
Sacramento, California*

Dear Dotson: This is to advise you that I will be absent from Session on Friday, March 28, 2003, on legislative business.

Sincerely,

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

(NOTE: For letters explaining the absences of Assembly Members Chavez and Firebaugh on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 27, 2003.)

**COMMUNICATIONS**

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

March 28, 2003

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

Dear Mr. Speaker: I am writing to decline per diem for Saturday, March 29, 2003, Sunday, March 30, 2003, and Monday, March 31, 2003.

Thank you for your consideration of this request. Should you have any questions please contact Sheri Pemberton of my staff at 319-2053.

Sincerely,

GEORGE NAKANO, Assembly Member  
Fifty-third District

March 28, 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 Assemblymember Christine Kehoe to replace Assemblymember Jerome Horton on the Assembly Elections, Redistricting and Constitutional Amendments Committee for the Tuesday, April 1, 2003 hearing only.

Sincerely,

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

March 28, 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 Assemblymember Sally Lieber to fill the vacancy on the Assembly Judiciary Committee for the Tuesday, April 1st hearing.

Sincerely,

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

March 28, 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 Assemblymember John Longville to replace Assemblymember Jerome Horton on the Assembly Utilities and Commerce Committee for the Tuesday, April 1 hearing.

Sincerely,

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

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 28, 2003

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 21  | Assembly Bill No. 799  |
| Assembly Bill No. 39  | Assembly Bill No. 820  |
| Assembly Bill No. 115 | Assembly Bill No. 876  |
| Assembly Bill No. 127 | Assembly Bill No. 921  |
| Assembly Bill No. 180 | Assembly Bill No. 967  |
| Assembly Bill No. 216 | Assembly Bill No. 987  |
| Assembly Bill No. 342 | Assembly Bill No. 1055 |
| Assembly Bill No. 528 | Assembly Bill No. 1137 |
| Assembly Bill No. 529 | Assembly Bill No. 1209 |
| Assembly Bill No. 567 | Assembly Bill No. 1233 |
| Assembly Bill No. 626 | Assembly Bill No. 1368 |
| Assembly Bill No. 677 | Assembly Bill No. 1400 |
| Assembly Bill No. 690 | Assembly Bill No. 1440 |
| Assembly Bill No. 724 | Assembly Bill No. 1515 |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 28, 2003

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

- Assembly Concurrent Resolution No. 40
- Assembly Joint Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

**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>
<b>68</b> -----	Jud. and B. & P.
<b>178</b> -----	Health
<b>792</b> -----	Trans.
<b>964</b> -----	Jud.
<b>1207</b> -----	P.E.,R. & S.S.
<b>1229</b> -----	Jud.
<b>1240</b> -----	Hum. S.
<b>1414</b> -----	G.O.
<b>1472</b> -----	Ed. and E.,R. & C.A.
<b>1511</b> -----	Trans.

*Assembly Constitutional*

<i>Amendment No.</i>	<i>Committee</i>
<b>1</b> -----	Budget, Rls. and E.,R. & C.A.
<b>2</b> -----	Budget, Rls., and E.,R. & C.A.
<b>11</b> -----	L. Gov., E.,R. & C.A., and Appr.
<b>12</b> -----	Rev. & Tax. and E.,R. & C.A.
<b>13</b> -----	Higher Ed. and E.,R. & C.A.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>66</b> -----	Ed.
<b>67</b> -----	Trans.

*Senate*  
*Bill No.* **933** ----- *Committee*  
 ----- Pub. S.

*Senate Concurrent*  
*Resolution No.* **13** ----- *Committee*  
 ----- Rls.  
**15** ----- Rls.

### AUTHOR'S AMENDMENTS

#### Committee on Business and Professions

March 28, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 25  
 Assembly Bill No. 746  
 Assembly Bill No. 1078

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

CORREA, Chairman

**ASSEMBLY BILL NO. 25**—An act to add Article 2.5 (commencing with Section 11024) to Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code, relating to state agencies.

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. 746**—An act to add Section 490.7 to the Business and Professions Code, relating to the healing arts.

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. 1078**—An act to add Section 17514 to the Business and Professions Code, relating to telephone solicitations.

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 28, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 671  
 Assembly Bill No. 1460

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

CORREA, Chairman

**ASSEMBLY BILL NO. 671**—An act to amend Section 7582.24 of the Business and Professions Code, relating to private security services.

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. 1460**—An act to amend Sections 1209 and 4052.1 of the Business and Professions Code, relating to pharmacists.

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 28, 2003

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

Assembly Bill No. 1608

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

LONGVILLE, Chairman

**ASSEMBLY BILL NO. 1608**—An act to amend Sections 2000 and 2101 of the Elections Code, relating to voting.

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 28, 2003

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

Assembly Bill No. 350

Assembly Bill No. 934

Assembly Bill No. 633

Assembly Bill No. 1131

Assembly Bill No. 657

Assembly Bill No. 1249

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

LENO, Chairman

**ASSEMBLY BILL NO. 350**—An act to amend Section 12816 of, and to add Sections 1828 and 12804.11 to, 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.

**ASSEMBLY BILL NO. 633**—An act to amend Sections 209, 653f, and 667.61 of 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.

**ASSEMBLY BILL NO. 657**—An act to amend Section 23596 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.

**ASSEMBLY BILL NO. 934**—An act to add Section 280.5 to the Penal Code, relating to child abduction.

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. 1131**—An act to amend Section 368 of the Penal Code, relating to crime.

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. 1249**—An act to amend Section 1560 of the Evidence Code and Section 1326 of the Penal Code, relating to subpoenas.

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 Employees, Retirement and Social Security**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Bill No. 1207

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

NEGRETE McLEOD, Chairwoman

**ASSEMBLY BILL NO. 1207**—An act to amend Section 22102 of the Education Code, relating to state teachers' retirement.

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 28, 2003

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

Assembly Bill No. 1168

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

JACKSON, Chairwoman

**ASSEMBLY BILL NO. 1168**—An act to amend Sections 5093.54 and 5093.545 of the Public Resources Code, relating to rivers.

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 28, 2003

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

Assembly Bill No. 496

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

JACKSON, Chairwoman

**ASSEMBLY BILL NO. 496**—An act to add and repeal Division 23.6 (commencing with Section 33807) to the Public Resources Code, relating to the Santa Ana River 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.



**AUTHOR'S AMENDMENTS  
Committee on Education**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 296

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

GOLDBERG, Chairwoman

**ASSEMBLY BILL NO. 296**—An act to amend Section 100620 of 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 Revenue and Taxation**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 234

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

CHAVEZ, Chairman

**ASSEMBLY BILL NO. 234**—An act to amend Sections 17276 and 24416 of, and to add Sections 17276.8 and 24416.8 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 28, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Assembly Bill No. 8

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 8**—An act to add and repeal Article 3.8 (commencing with Section 52055.70) to Chapter 6.1 of Part 28 of the Education Code, relating to Riverside County Office of Education, and declaring the urgency thereof, to take effect immediately.

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 Water, Parks and Wildlife**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 450

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

CANCIAMILLA, Chairman

**ASSEMBLY BILL NO. 450**—An act relating to water, 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Local Government**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:  
Assembly Bill No. 980  
Assembly Bill No. 1051

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

SALINAS, Chairman

**ASSEMBLY BILL NO. 980**—An act to add Section 65585.3 to the Government Code, relating to housing.

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. 1051**—An act to amend Section 54999.1 of, and to add Sections 54999.7 and 54999.8 to, the Government Code, relating to local government.

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 28, 2003

Mr. Speaker: The Chair of your Committee on Business and Professions reports:  
Assembly Bill No. 699

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

CORREA, Chairman

**ASSEMBLY BILL NO. 699**—An act to add Chapter 8 (commencing with Section 6850) to Division 3 of the Business and Professions Code, to amend Sections 17280 and 17311 of the Education Code, to amend Sections 14951 and 14956 of the Government Code, and to amend Section 129680 of the Health and Safety Code, relating to construction inspections.

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 Education**

March 28, 2003

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 545  
Assembly Bill No. 1472  
Assembly Bill No. 1554

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

GOLDBERG, Chairwoman

**ASSEMBLY BILL NO. 545**—An act to add Section 17077.43 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.

**ASSEMBLY BILL NO. 1472**—An act to amend Sections 37220 and 45203 of the Education Code, and to amend Section 12283 of the Elections Code, relating to elections.

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. 1554**—An act to amend Section 42285.3 of the Education Code, relating to schools.

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 28, 2003

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

Assembly Bill No. 178

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

FROMMER, Chairman

**ASSEMBLY BILL NO. 178**—An act relating to medical privacy.

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.

**ADJOURN IN MEMORY**

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marine Cpl. Jorge A. Gonzalez, of Rialto.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marine Lance Cpl. Jose Gutierrez, of Lomita.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Nakanishi was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Col. William Wesley Jones, USAF Ret., of Gold River.

(Assembly Rule 45.5 suspended.)

**At 8:52 a.m., Acting Speaker Sarah Reyes, 31st District, presiding**

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 63 (Firebaugh)**—Relative to César Chávez Day.

Resolution read, and presented by Assembly Member Salinas.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 63**

Assembly Member Salinas was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 63.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Canciamilla, Chan, Chu, Cogdill, Cox, Daucher, Dutra, Dymally, Garcia, Goldberg, Shirley Horton, Jackson, Kehoe, La Suer, Laird, Leno, Lieber, Lowenthal, Matthews, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Pacheco, Plescia, Reyes, Richman, Ridley-Thomas, Salinas, Steinberg, Vargas, Wiggins, and Wyland.

**Request for Unanimous Consent**

Assembly Member Salinas was granted unanimous consent to take up Assembly Concurrent Resolution No. 63, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 63, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 63**—Relative to César Chávez Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**RECESS**

**Cesar Chavez Day**

By unanimous consent, at 8:56 a.m., Acting Speaker Reyes declared the Assembly recessed to permit the introduction of special guests in observance of Cesar Chavez Day.

Acting Speaker Reyes introduced Hon. Federico Chavez, Administrative Law Judge, Unemployment Insurance Appeals Board, who is the nephew of Cesar Chavez, whereupon he addressed the assemblage. Acting Speaker Reyes then introduced Frank and Rosalinda Molina whereupon they performed “De Colores” for the assemblage.

**RECONVENED**

At 9:13 a.m., the Assembly reconvened.

Hon. Sarah Reyes, Acting Speaker of the Assembly, presiding.

**SPECIAL PERFORMANCE**

Acting Speaker Reyes introduced the Greater Atlanta Adventist High School Concert Choir, who performed “God Bless America” from the Assembly Gallery.

**RECESS**

By unanimous consent, at 9:20 a.m., Acting Speaker Reyes declared the Assembly recessed to permit the introduction of special guests.

Assembly Members Pacheco and Daucher introduced Tracy Chandler and her husband Steve Chandler, residents of the City of Whittier, who have erected and maintained a memorial for the past 18 months, of those individuals who perished in the 9/11 tragedy, and presented a resolution to them in recognition of their display of patriotism.

**RECONVENED**

At 9:24 a.m., the Assembly reconvened.

Hon. Sarah Reyes, Acting Speaker of the Assembly, presiding.

**ADJOURN IN MEMORY**

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Joe Serna, former Mayor of Sacramento and his wife, Isabel Serna.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Aghazarian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jennifer June Escobedo, of Ceres.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Levine was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tamara "Tami" Lee Ginsburg, of Sherman Oaks.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marine Sgt. Michael E. Bitz, of Ventura.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Mullin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Jack Drago, former Mayor of South San Francisco.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Benoit was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Saul Martinez, of Indio.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Dymally was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cesar Chavez.

(Assembly Rule 45.5 suspended.)

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

**ASSEMBLY BILL NO. 358**—An act to amend Sections 1419, 1420, and 1422 of the Health and Safety Code, relating to health facilities.

Bill read second time; amendments proposed by the Committee on Health read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ADJOURN IN MEMORY**

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marine Maj. Jay Thomas Aubin, of Camp Pendleton.

Assembly Member Berg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Margaret McClure, of Del Norte.

Assembly Member Hancock was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Ruth Denton, of Berkeley.

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 Eula Banks, of San Diego.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Connie Espigares, of Sacramento.

**ANNOUNCEMENTS**

Acting Speaker Reyes announced that Monday, March 31st is Cesar Chavez Day and the Assembly would reconvene on Tuesday, April 1, 2003 at Noon, and further, that committee hearings commence at 9 a.m.

**MOTION TO ADJOURN**

At 9:44 a.m., Assembly Member Goldberg moved that the Assembly do now adjourn.

Assembly Member Berg seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 9:44 a.m., Acting Speaker Reyes declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 78**—Richman. Relative to National Public Works Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 79**—Lieber (Coauthors: Berg, Canciamilla, Chan, Chu, Cohn, Corbett, Dymally, Goldberg, Jackson, Kehoe, Laird, Leno, Lowenthal, Matthews, Negrete McLeod, Oropeza, Pavley, Ridley-Thomas, Wolk, and Yee) (Coauthors: Senators Alpert, Ducheny, Kuehl, Ortiz, and Romero). Relative to Equal Pay Day.

**ASSEMBLY JOINT RESOLUTION NO. 22**—Haynes (Coauthors: Aghazarian, Bates, Benoit, Bogh, Cogdill, Cox, Dutton, Houston, La Suer, Maze, Nakanishi, Runner, Samuelian, and Strickland) (Coauthors: Senators Brulte, Hollingsworth, Johnson, Knight, Margett, and Morrow). Relative to the judicial nomination of Miguel Estrada.

**ASSEMBLY JOINT RESOLUTION NO. 23—Haynes (Coauthors: Aghazarian, Bates, Bogh, Cogdill, Dutton, La Suer, Maze, Mountjoy, Pacheco, Samuelian, and Strickland) (Coauthors: Senators Aanestad, Ackerman, Battin, Denham, Hollingsworth, Johnson, Knight, and Margett).** Relative to estate taxes.

**ASSEMBLY JOINT RESOLUTION NO. 24—Haynes (Coauthors: Aghazarian, Bates, Bogh, Cogdill, Dutton, La Suer, Maze, Mountjoy, Pacheco, Samuelian, and Strickland) (Coauthors: Senators Aanestad, Ackerman, Battin, Denham, Hollingsworth, Johnson, Knight, and Margett).** Relative to President Bush's 2002 Economic Growth and Tax Relief Plan.

**ASSEMBLY JOINT RESOLUTION NO. 25—Haynes (Coauthors: Aghazarian, Bates, Bogh, Cogdill, Dutton, La Suer, Maze, Mountjoy, Pacheco, Samuelian, and Strickland) (Coauthors: Senators Aanestad, Ackerman, Battin, Denham, Hollingsworth, Johnson, Knight, and Margett).** Relative to pensions and individual retirement accounts.

**ASSEMBLY JOINT RESOLUTION NO. 26—Haynes (Coauthors: Aghazarian, Bates, Bogh, Cogdill, Dutton, La Suer, Maze, Mountjoy, Pacheco, Samuelian, and Strickland) (Coauthors: Senators Aanestad, Ackerman, Battin, Denham, Hollingsworth, Knight, and Margett).** Relative to the alternative minimum tax.

#### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Goldberg, the Assembly adjourned until Noon, Tuesday, April 1, 2003, out of respect to the memory of Marine Cpl. Jorge A. Gonzalez, on motion of Assembly Member Goldberg; out of respect to the memory of Marine Lance Cpl. Jose Gutierrez, on motion of Assembly Member Nakano; out of respect to the memory of Col. William Wesley Jones, USAF Ret., on motion of Assembly Member Nakanishi; out of respect to the memory of Marine Maj. Jay Thomas Aubin, on motion of Assembly Member Bates; out of respect to the memory of Margaret McClure, on motion of Assembly Member Berg; out of respect to the memory of Ruth Denton, on motion of Assembly Member Hancock; out of respect to the memory of Eula Banks, on motion of Assembly Member Shirley Horton; out of respect to the memory of Hon. Joe Serna and Mrs. Isabel Serna on motion of Assembly Member Steinberg; out of respect to the memory of Jennifer June Escobedo, on motion of Assembly Member Aghazarian; out of respect to the memory of Tamara "Tami" Lee Ginsburg, on motion of Assembly Member Levine; out of respect to the memory of Marine Sgt. Michael E. Bitz, on motion of Assembly Member Jackson; out of respect to the memory of Hon. Jack Drago, on motion of Assembly Member Mullin; out of respect to the memory of Saul Martinez, on motion of Assembly Member Benoit; out of respect to the memory of Cesar Chavez, on motion of Assembly Member Dymally; and out of respect to the memory of Connie Espigares, on motion of Assembly Member Steinberg.

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CHRISTINE KEHOE, Speaker pro Tempore

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 28, 2003

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

AB	RN	
8	0309086	
25	0309042	
178	0308693	
234	0308894	
296	0308365	
350	0307714	
358	0308867	
450	0308892	
496	0309078	
545	0309157	
633	0309062	
657	0308771	
671	0308887	
699	0308831	
746	0308527	
934	0307805	
980	0308631	
1051	0308933	
1078	0308257	
1131	0308164	
1168	0308636	
1207	0308675	
1249	0307986	
1460	0309000	
1472	0309014	
1554	0309023	
1608	0308581	
<b>Daily Total:</b>		<b>27</b>
<b>Cumulative Total:</b>		<b>396</b>

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