

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, April 1, 2003**

**FIFTIETH SESSION DAY**

**ONE HUNDRED TWENTY-FIRST CALENDAR DAY**

**AT SACRAMENTO, CALIFORNIA**



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NOTE: Official record of roll call votes; all amendments considered by the Assembly on this day are on file with the Chief Clerk of the Assembly and available on request. A list of all measures amended and on which amendments were offered is shown on the final page of this day's Assembly Journal.

## PROCEEDINGS OF THE ASSEMBLY

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### IN ASSEMBLY

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Assembly Chamber, Sacramento  
Tuesday, April 1, 2003

The Assembly met at 12 Noon.  
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 Berg moved a quorum call of the Assembly.  
Motion carried. Time, 12:01 p.m.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 12:16 p.m., Speaker pro Tempore Kehoe declared a quorum of the  
Assembly present.

The roll call was completed, and the following answered to their  
names—77:

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

**PRAYER**

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

*O Lord Almighty, You dwell on high and look down on things that are lowly. You examine the hearts of us all and know all our secrets. Accept our supplications this morning and forgive us our faults in thought, word or deed. Make us temples of Your Holy Spirit that we may pass through this life with a vigilant heart and a sober mind. Lord, You are the true light that enlightens and sanctifies all, and You are praised by all creation.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Lieber 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, per diem waived for the 2003–2004 Session (See Assembly Journal, page 72.): Assembly Member Steinberg.*

*On personal business, and waiving per diem: Assembly Member Jerome E. Horton.*

*Because of illness: Assembly Member Lowenthal.*

**EXPLANATIONS OF ABSENCE**

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

March 3, 2003

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

Dear Mr. Speaker: I respectfully request permission to be excused from Session on Tuesday, April 1, 2003. I will be returning to Sacramento from Washington, D.C. on that day after attending an American Israel Public Affairs Committee policy conference.

I will also need to be excused from the Judiciary Committee meeting scheduled for the morning of April 1st.

Thank you for your consideration of this request.

Sincerely,

DARRELL STEINBERG, Assembly Member  
Ninth District

**COMMUNICATIONS**

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

April 1, 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 Fabian Nunez to replace Assemblymember Darrell Steinberg on the Assembly Judiciary Committee for today's hearing only.

Sincerely,

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

April 1, 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 Laird to replace Assemblymember Joe Simitian on the Assembly Appropriations Committee for the Wednesday, April 2 hearing.

Sincerely,

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

**REPORTS**

The following reports were presented by the Chief Clerk:

**Study on the Allocation of Resources to Transportation Versus  
 Non-Transportation-Related Security Activities**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated March 18, 2003, referred by the Speaker to the Committee on Budget.

**Gang Violence Suppression Program  
 Final Evaluation Report**

**(Pursuant to Supplemental Language in the 2002 Budget Act)**

Above transmitted report, together with letter of transmittal from Wayne Strumpfer, Interim Executive Director, Office of Criminal Justice Planning, dated March 14, 2003, referred by the Speaker to the Committee on Budget.

**California State Teacher's Retirement System (CalSTRS)  
 Annual Northern Ireland Report  
 (Pursuant to Senate Bill 105, Chapter 341, Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Jack Ehnes, Chief Executive Officer, State Teacher's Retirement System, dated March 21, 2003, referred by the Speaker to the Committee on Public Employees, Retirement and Social Security.

**Closure of the Northern California Women’s Facility  
(Pursuant to Supplemental Report of the 2002 Budget Act  
Item 5240-001-0001)**

Above transmitted report, together with letter of transmittal from Edward S. Alameida, Jr., Director, Department of Corrections, dated March 25, 2003, referred by the Speaker to the Committee on Budget.

**Disabled Veterans Business Enterprise (DVBE)  
Report for Fiscal Year 2001–2002  
(Pursuant to Public Contract Code Section 10115.5 and  
Military and Veterans Code 999.7)**

Above transmitted report, together with letter of transmittal from Clothilde V. Hewlett, Interim Director, Department of General Services, dated March 25, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**SPECIAL COMMITTEE MEETINGS**

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

Joint Legislative Audit Committee, on Wednesday, April 9, 2003, at 9:30 a.m., in Room 444;

Water, Parks and Wildlife, on Tuesday, April 8, in Room 4202 (note room change).

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 1, 2003

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

- |                       |                        |
|-----------------------|------------------------|
| Assembly Bill No. 8   | Assembly Bill No. 746  |
| Assembly Bill No. 25  | Assembly Bill No. 934  |
| Assembly Bill No. 178 | Assembly Bill No. 980  |
| Assembly Bill No. 234 | Assembly Bill No. 1051 |
| Assembly Bill No. 296 | Assembly Bill No. 1078 |
| Assembly Bill No. 350 | Assembly Bill No. 1131 |
| Assembly Bill No. 358 | Assembly Bill No. 1168 |
| Assembly Bill No. 450 | Assembly Bill No. 1207 |
| Assembly Bill No. 496 | Assembly Bill No. 1249 |
| Assembly Bill No. 545 | Assembly Bill No. 1460 |
| Assembly Bill No. 633 | Assembly Bill No. 1472 |
| Assembly Bill No. 657 | Assembly Bill No. 1554 |
| Assembly Bill No. 671 | Assembly Bill No. 1608 |
| Assembly Bill No. 699 |                        |

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**REFERENCE OF BILLS TO COMMITTEE**

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
<b>314</b> -----	W.,P. & W.
<b>423</b> -----	G.O.
<b>477</b> -----	Trans.
<b>640</b> -----	Ed.
<b>662</b> -----	Ed.
<b>873</b> -----	B. & P.
<b>1011</b> -----	B. & P.
<b>1441</b> -----	Pub. S.

**1731** ----- H. & C.D.

**1732** ----- H. & C.D.

*Assembly Constitutional*

*Amendment No. Committee*

**14** ----- L. Gov., E.,R. & C.A., and Appr.

*Assembly Concurrent*

*Resolution No. Committee*

**58** ----- Trans.

**70** ----- Rls.

**71** ----- Trans.

**73** ----- Trans.

**75** ----- Ed.

**76** ----- Rls.

*Assembly Joint*

*Resolution No. Committee*

**21** ----- V.A.

*Senate*

*Bill No. Committee*

**94** ----- Budget

**1070** ----- Budget

*Senate Joint*

*Resolution No. Committee*

**3** ----- Hum. S.

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

April 1, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 613

Assembly Bill No. 1690

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

SALINAS, Chairman

**ASSEMBLY BILL NO. 613**—An act to add Section 17582 to the Government Code, relating to state-mandated local programs.

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. 1690**—An act to add Article 4 (commencing with Section 55650) to Chapter 4 of Part 2 of Division 2 of Title 5 of the Government Code, and to amend Section 17041.5 of, and to add Section 99.3 to, the Revenue and Taxation 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 Veterans Affairs**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Bill No. 669

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

PARRA, Chairwoman

**ASSEMBLY BILL NO. 669**—An act to amend Sections 14837, 14839, 14842, and 14842.5 of, and to repeal Section 14838.6 of, the Government Code, and to amend Sections 999, 999.6 and 999.9 of the Military and Veterans Code, relating to public 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 Health**

April 1, 2003

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

Assembly Bill No. 1401

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

FROMMER, Chairman

**ASSEMBLY BILL NO. 1401**—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 hospital charity care.

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**

April 1, 2003

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

Assembly Bill No. 1006

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

LAIRD, Chairman

**ASSEMBLY BILL NO. 1006**—An act to add Section 17615 to the Education Code, relating to pesticide.

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**

April 1, 2003

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

Assembly Bill No. 1348

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

LAIRD, Chairman

**ASSEMBLY BILL NO. 1348**—An act to amend Section 25250.7 of the Health and Safety Code, relating to hazardous waste.

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 Transportation**

April 1, 2003

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

Assembly Bill No. 1511

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 1511**—An act relating to streets and highways.

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 Transportation**

April 1, 2003

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

Assembly Bill No. 1320

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 1320**—An act to amend Section 99314.6 of, and to add and repeal Section 99268.17 of, the Public Utilities Code, relating to transportation.

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 Transportation**

April 1, 2003

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

Assembly Bill No. 478

Assembly Bill No. 1289

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 478**—An act to amend Section 22851.3 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.

**ASSEMBLY BILL NO. 1289**—An act to amend Section 143 of the Streets and Highways Code, relating to transportation.

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**

April 1, 2003

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

Assembly Bill No. 514

Assembly Bill No. 938

Assembly Bill No. 685

Assembly Bill No. 1631

Assembly Bill No. 689

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

CORREA, Chairman

**ASSEMBLY BILL NO. 514**—An act to add Section 14670.45 to the Government Code, relating to state property.

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. 685**—An act to add Section 1246.3 to the Business and Professions Code relating to health care, 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.

**ASSEMBLY BILL NO. 689**—An act to add Article 2.5 (commencing with Section 8546.9) to Chapter 6.5 of Division 1 of Title 2 of the Government Code, relating to state regulatory 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. 938**—An act to add Sections 2435.2, 2987.2, 4984.75, and 4996.65 to the Business and Professions Code, and to add Article 4 (commencing with Section 128454) to Chapter 5 of Part 3 of Division 104 of the Health and Safety Code, relating to health professions.

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. 1631**—An act relating to state property.

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**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 994

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

SALINAS, Chairman

**ASSEMBLY BILL NO. 994**—An act to amend Sections 65583, 65583.1, 65588, and 65589.5 of 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Governmental Organization**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
 Assembly Bill No. 870  
 Assembly Bill No. 1398

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

JEROME HORTON, Chairman

**ASSEMBLY BILL NO. 870**—An act to amend Sections 19412 and 19601 of, and to add Section 19610.8 to, the Business and Professions Code, relating to horse racing, 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.

**ASSEMBLY BILL NO. 1398**—An act to amend Section 25664 of the Business and Professions Code, relating to alcoholic beverages.

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**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Health reports:  
 Assembly Bill No. 749  
 Assembly Bill No. 941  
 Assembly Bill No. 1628

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

FROMMER, Chairman

**ASSEMBLY BILL NO. 749**—An act to add Section 14105.49 to 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. 941**—An act to amend Section 1372 of the Penal Code, and to amend Sections 4100, 7200, and 7200.06 of, and to repeal Sections 7229 and 7233 of, the Welfare and Institutions Code, relating to state 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.

**ASSEMBLY BILL NO. 1628**—An act to amend Section 1371.4 of the Health and Safety Code, relating to health care, 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 Revenue and Taxation**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Assembly Bill No. 1043

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

CHAVEZ, Chairman

**ASSEMBLY BILL NO. 1043**—An act to add Article 2.5 (commencing with Section 7076) to Chapter 8 of Part 1 of Division 2 of the Revenue and Taxation Code, relating to taxation.

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**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Assembly Bill No. 314  
Assembly Bill No. 430

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

CANCIAMILLA, Chairman

**ASSEMBLY BILL NO. 314**—An act to add Section 111 to the Water Code, relating to 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.

**ASSEMBLY BILL NO. 430**—An act to add Section 73502.2 to the Water Code, relating to 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 Governmental Organization**

April 1, 2003

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 423

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

JEROME HORTON, Chairman

**ASSEMBLY BILL NO. 423**—An act relating to gaming.

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: April 1, 2003

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 62

Assembly Concurrent Resolution No. 64

Assembly Concurrent Resolution No. 65

With the recommendation: Be adopted.

NATION, Chairman

Above resolutions ordered to third reading.

Date of Hearing: April 1, 2003

Mr. Speaker: Your Committee on Rules reports:

Senate Concurrent Resolution No. 15

With the recommendation: Be adopted.

NATION, Chairman

Above resolution ordered to third reading.

Date of Hearing: April 1, 2003

Mr. Speaker: Your Committee on Rules reports:

Assembly Bill No. 13

With the recommendation: That the bill be re-referred to the Committee on Natural Resources.

NATION, Chairman

Above bill re-referred to the Committee on Natural Resources.

**Committee on Public Safety**

Date of Hearing: April 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 933

With the recommendation: Do pass.

LENO, Chairman

Above bill ordered to second reading.

**Committee on Jobs, Economic Development and the Economy**

Date of Hearing: April 1, 2003

Mr. Speaker: Your Committee on Jobs, Economic Development and the Economy reports:

Assembly Bill No. 11

Assembly Bill No. 251

Assembly Bill No. 516

Assembly Bill No. 592

Assembly Bill No. 708

Assembly Bill No. 1035

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

RIDLEY-THOMAS, Chairman

Above bills re-referred to the Committee on Appropriations.

**RE-REFERENCE OF BILLS**

Assembly Member Chan was granted unanimous consent that Assembly Bill No. 934 be re-referred from the Committee on Public Safety to the Committee on Judiciary.

**ADJOURN IN MEMORY**

Assembly Member Liu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Pfc. Francisco A. Martinez Flores, of Duarte.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Matthews was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gunnery Sgt. Joseph Menusa, of Tracy.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

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 Lance Cpl. Michael Jason Williams, of Vacaville.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Members Spitzer, Daucher, and Maddox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Randall G. Smith, of Yorba Linda.

(Assembly Rule 45.5 suspended.)

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

**HOUSE RESOLUTION NO. 5 (Cohn)**—Relative to online piracy.

Resolution read.

**Members Made Coauthors of House Resolution No. 5**

Assembly Member Cohn was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of House Resolution No. 5.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors: Aghazarian, Bates, Benoit, Berg, Bermudez, Bogh, Calderon, Campbell, Canciamilla, Chan, Chavez, Chu, Cogdill, Corbett, Correa, Cox, Daucher, Diaz, Dutra, Dutton, Dymally, Firebaugh, Frommer, Garcia, Goldberg, Hancock, Harman, Haynes, Shirley Horton, Houston, Jackson, Keene, Kehoe, Koretz, La Malfa, La Suer, Laird, Leno, Leslie, Levine, Lieber, Liu, Longville, Maldonado, Matthews, Maze, McCarthy, Montanez, Mountjoy, Mullin, Nakanishi, Nakano, Nation, Negrete McLeod, Nunez, Oropeza, Parra, Pavley, Plescia, Reyes, Richman, Ridley-Thomas, Runner, Salinas, Samuelian, Simitian, Spitzer, Strickland, Vargas, Wesson, Wiggins, Wolk, Wyland, and Yee.

**Request for Unanimous Consent**

Assembly Member Cohn was granted unanimous consent to take up House Resolution No. 5, as amended, without reference to print or file.

**Consideration of House Resolution No. 5, as Amended**

**HOUSE RESOLUTION NO. 5**—Relative to online piracy.

Resolution read, as amended, and adopted.

**ASSEMBLY BILL NO. 78 (Reyes)**—An act to add Section 51221.4 to the Education Code, relating to curriculum.

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

**AYES—65**

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

**NOES—6**

Campbell	La Malfa	Leslie
Haynes	La Suer	Runner

Bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Public Safety**

Date of Hearing: April 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 949

With the recommendation: Do pass.

LENO, Chairman

Above bill ordered to second reading.

**ASSEMBLY BILL NO. 949 TAKEN UP BY UNANIMOUS CONSENT**  
**FOR SECOND READING**

Assembly Member Pavley was granted unanimous consent to take up Assembly Bill No. 949 without reference to file, for the purpose of reading the bill a second time.

**ASSEMBLY BILL NO. 949**—An act to amend Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**Consideration of Assembly Bill No. 949  
by Unanimous Consent**

Assembly Member Pavley was granted unanimous consent to take up Assembly Bill No. 949 without reference to file, for purpose of consideration.

**ASSEMBLY BILL NO. 949 (Pavley)**—An act to amend Section 803 of the Penal Code, relating to criminal procedure, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

The question being on the passage of the bill.  
Bill passed by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ADJOURN IN MEMORY**

Assembly Members Koretz, Goldberg, Levine, and Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Stanley Hirsh, of Los Angeles.

(Assembly Rule 45.5 suspended.)

**ADJOURN IN MEMORY**

Assembly Member Maze was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Katie Yslas-Yent, former Mayor of Barstow.

(Assembly Rule 45.5 suspended.)

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Leno announced that the Committee on Public Safety would reconvene today, upon adjournment of Floor session.

Assembly Member Reyes announced that the Committee on Utilities and Commerce would meet today upon adjournment of the Committee on Elections, Redistricting and Constitutional Amendments hearing, in Room 444.

Assembly Member Bermudez announced that Budget Subcommittee No. 4, would meet today, at 2 p.m.

**ADJOURN IN MEMORY**

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Denise M. Quintell, of San Leandro.

Assembly Member Lieber was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herbert Aptheker, of Mountain View and James Boccardo, of Los Gatos.

Speaker Wesson and Assembly Member Ridley-Thomas were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joseph Fred Powe, of Los Angeles.

**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. 78:** Benoit, Bogh, Canciamilla, Daucher, and Shirley Horton—Aye.

**Assembly Bill No. 949 and Urgency:** Benoit, Daucher, and Shirley Horton—Aye.



**MOTION TO ADJOURN**

At 12:59 p.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Strickland seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

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

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

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

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 1:04 p.m., Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 80—Dymally.** Relative to the Compton Unified School District.

**ASSEMBLY JOINT RESOLUTION NO. 27—Correa and Maddox (Coauthors: Aghazarian, Bates, Benoit, Bermudez, Calderon, Chavez, Daucher, Diaz, Dutton, Firebaugh, Frommer, Harman, Shirley Horton, Keene, Laird, Leslie, Lieber, Lowenthal, Maldonado, Matthews, Maze, McCarthy, Mountjoy, Mullin, Nakanishi, Nation, Negrete McLeod, Nunez, Oropeza, Parra, Plescia, Ridley-Thomas, Salinas, Spitzer, Strickland, Vargas, and Wolk) (Coauthors: Senators Johnson and Romero).** Relative to honoring and calling for the posthumous granting of United States citizenship for United States Marine Corps Lance Corporal Jose Angel Garibay.

**ACTION RESCINDED ON ASSEMBLY BILL NO. 244**

Unanimous consent was granted to rescind the action whereby on March 26, 2003 (Assembly Journal, page 805), Assembly Bill No. 244 was read a second time; author's amendments to the bill were read and adopted, and the bill was reprinted and re-referred to the Committee on Labor and Employment.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 1, 2003

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

Assembly Concurrent Resolution No. 32

Assembly Concurrent Resolution No. 48

Assembly Concurrent Resolution No. 52

And reports the same correctly enrolled, and presented to the Secretary of State on the 1st day of April, 2003, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 7 a.m., Wednesday, April 2, 2003, out of respect to the memory of Pfc. Francisco A. Martinez Flores, on motion of Assembly Member Liu; out of respect to the memory of Gunnery Sgt. Joseph Menusa, on motion of Assembly Member Matthews; out of respect to the memory of Randall G. Smith, on motion of Assembly Members Spitzer, Daucher, and Maddox; out of respect to the memory of Stanley Hirsh, on motion of Assembly Members Koretz, Goldberg, Levine, and Ridley-Thomas; out of respect to the memory of Lance Cpl. Michael Jason Williams, on motion of Assembly Member Wolk; out of respect to the memory of Hon. Katie Yslas-Yent, on motion of Assembly Member Maze; out of respect to the memory of Denise M. Quintell, on motion of Assembly Member Corbett; out of respect to the memory of Herbert Aptheker and James Boccardo, on motion of Assembly Member Lieber; and out of respect to the memory of Joseph Fred Powe, on motion of Speaker Wesson and Assembly Member Ridley-Thomas.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON APRIL 1, 2003**

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

<b>AB</b>	<b>RN</b>
314	0308768
423	0308573
430	0308256
478	0309012
514	0308659
613	0308474
669	0308949
685	0309017
689	0308983
749	0308682
870	0308865
938	0309127
941	0308943
994	0308776
1006	0308570
1043	0309040
1289	0308930
1320	0308686
1348	0308969
1398	0309148
1401	0308897
1511	0308152
1628	0308769
1631	0308972
1690	0308989

<b>Daily Total:</b>	<b>25</b>
<b>Cumulative Total:</b>	<b>421</b>

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