

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, May 28, 2003

SEVENTY-NINTH SESSION DAY

ONE HUNDRED SEVENTY-EIGHTH 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
Wednesday, May 28, 2003

The Assembly met at 7 a.m.

Hon. Abel Maldonado, Assembly Member, 33rd District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—74:

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

Quorum present.

At 1:30 p.m., Hon. Rebecca Cohn, 24th 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 Members Bogh, Calderon, Chavez, Jerome E. Horton, and Spitzer.

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

EXPLANATIONS OF ABSENCE

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

May 22, 2003

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

Dear Assembly Speaker Wesson,
This letter is a request to be excused from Check-In Session on Wednesday, May 28, 2003 for legislative business in my District.
Thank you for your consideration of this matter.

Sincerely,

RUSS BOGH, Assembly Member
Sixty-fifth District

May 13, 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 Check in Session, Wednesday, May 28, 2003, and Session, Thursday, May 29, 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

May 27, 2003

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

Dear Mr. Speaker Wesson: I respectfully request that I be excused from Check-in Session and Floor Session Upon Call of the Speaker on Wednesday, May 28, 2003. The purpose is to attend to legislative business near my district.

I thank you in advance for your favorable consideration. Should you have any questions whatsoever, please do not hesitate to contact me.

Sincerely,

ED CHAVEZ, Assembly Member
Fifty-seventh District

May 27, 2003

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Floor Session upon call of the Speaker and Check-In Session on Wednesday, May 28, 2003, due to legislative business in my district. I will be returning to Sacramento on Thursday, May 29, 2003, in time for the Assembly Floor Session.

I want to thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (310) 413-0635.

Sincerely,

JEROME E. HORTON, Assembly Member
Fifty-first District

May 28, 2003

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

Dear Speaker Wesson: I am requesting to be excused from check-in today Wednesday May 28th, 2003. I was in the Capitol this morning to attend the Local Government Caucus and then had to travel to Orange County for legislative business. I failed to check-in this morning.

If you have any questions please feel free to contact my capitol director, Kirstin Kolpitcke at (916) 319-2071.

Sincerely,

TODD SPITZER, Assembly Member
Seventy-first District

COMMUNICATIONS

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

May 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 Wilma Chan to replace Assemblymember Gloria Negrete McLeod on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, May 28, 2003

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

Assembly Bill No. 532
Assembly Bill No. 691
Assembly Bill No. 820

Assembly Bill No. 954
Assembly Bill No. 1248

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered returned to second reading file.

Assembly Chamber, May 28, 2003

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

Assembly Bill No. 236
Assembly Bill No. 408

Assembly Bill No. 634
Assembly Bill No. 1022

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 109—Samuelian (Principal coauthor: Senator McClintock) (Coauthors: Aghazarian, Bates, Benoit, Bogh, Campbell, Cogdill, Cox, Daucher, Dutton, Garcia, Harman, Haynes, Shirley Horton, Houston, Keene, La Malfa, La Suer, Leslie, Maddox, Maldonado, Maze, McCarthy, Mountjoy, Nakanishi, Pacheco, Plescia, Richman, Runner, Spitzer, Strickland, and Wyland) (Coauthors: Senators Aanestad, Ashburn, Denham, Hollingsworth, Johnson, Morrow, and Oller). Relative to the 25th Anniversary of Proposition 13.

HOUSE RESOLUTION NO. 33—Runner. Relative to Support for Boeing 7E7 Jetliner Project at the Palmdale Regional Airport.

AUTHOR'S AMENDMENTS

Committee on Elections, Redistricting and Constitutional Amendments

May 28, 2003

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

Senate Bill No. 1024

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

LONGVILLE, Chair

SENATE BILL NO. 1024—An act to amend Section 5091 of the Education Code, to amend Sections 3103, 3304, 3500, 7227, 7422, 7672, 7772, 10411, 11020, 13113, and 14242 of the Elections Code, to amend Section 26802 of the Government Code, and to amend Section 9358 of the Public Resources 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.

AUTHOR'S AMENDMENTS

Committee on Health

May 28, 2003

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

Senate Bill No. 377

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

FROMMER, Chair

SENATE BILL NO. 377—An act to add Section 124586 to the Health and Safety Code, relating to Indian health.

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.

**CONSIDERATION OF DAILY FILE
ASSEMBLY BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bills were this day on the second reading file:

Assembly Bills Nos. 691, 820, and 954, ordered to third reading;

Assembly Bills Nos. 1248 and 532, ordered to the Consent Calendar.

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1735—An act to add Section 1701.5 to the Public Utilities Code, relating to public utilities.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file, and to be placed upon the Consent Calendar.

ASSEMBLY BILL NO. 1524—An act to amend Sections 12699.50, 12699.51, 12699.52, 12699.53, 12699.54, 12699.56, 12699.61, and 12699.62 of, and to amend the heading of Part 6.4 (commencing with Section 12699.50) of Division 2 of, the Insurance Code, relating to health care coverage.

Bill read second time; amendments proposed by the Committee on Appropriations read and adopted; bill ordered reprinted and to be returned to the second reading file.

ASSEMBLY BILL NO. 100—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of Section 12 of Article IV of the Constitution of the State of California, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Budget read and adopted; bill ordered reprinted and to be returned to the second reading file.

**REPORTS OF STANDING COMMITTEES
Committee on Budget**

Date of Hearing: May 27, 2003

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 1750
Assembly Bill No. 1751
Assembly Bill No. 1752
Assembly Bill No. 1753
Assembly Bill No. 1754
Assembly Bill No. 1755
Assembly Bill No. 1756
Assembly Bill No. 1757
Assembly Bill No. 1758

Assembly Bill No. 1759
Assembly Bill No. 1760
Assembly Bill No. 1761
Assembly Bill No. 1762
Assembly Bill No. 1763
Assembly Bill No. 1764
Assembly Bill No. 1765
Assembly Bill No. 1766

With the recommendation: Do pass.

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: May 27, 2003

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 1767

Assembly Bill No. 1768

Assembly Bill No. 1769

With the recommendation: Do pass.

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: May 27, 2003

Mr. Speaker: Your Committee on Budget reports:

Assembly Bill No. 1746

Assembly Bill No. 1748

Assembly Bill No. 1747

Assembly Bill No. 1749

With amendments with the recommendation: Amend, and do pass, as amended.

OROPEZA, Chair

Above bills ordered to second reading.

Date of Hearing: May 21, 2003

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 425

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chair

Above bill ordered to second reading.

Committee on Budget

Date of Hearing: May 27, 2003

Mr. Speaker: Your Committee on Budget reports:

Senate Bill No. 95

With the recommendation: Do pass.

OROPEZA, Chair

Above bill ordered to second reading.

ADJOURNMENT

At 7:01 p.m., the Assembly adjourned until 9 a.m., Thursday, May 29, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MAY 28, 2003**

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

AB	RN
100	0312993
1524	0312783
1735	0312802

SB	RN
377	0312669
1024	0312623

Daily Total:	5
Cumulative Total:	1758

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