

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 11, 2003

EIGHTY-SEVENTH SESSION DAY

ONE HUNDRED NINETY-SECOND CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



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

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, June 11, 2003

The Assembly met at 7 a.m.

Hon. Simon Salinas, Assembly Member, 28th 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—73:

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

Quorum present.

At 1:40 p.m., Hon. Joe Canciamilla, 11th 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 Cogdill, Corbett, Pacheco, and Simitian.

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

EXPLANATIONS OF ABSENCE

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

June 11, 2003

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

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Wednesday, June 11, 2003. I have legislative business in the district on that day.

Thank you for your consideration of this request. If you have any questions, please contact me at 319-2025.

Sincerely,

DAVE COGDILL, Assembly Member
Twenty-fifth District

June 5, 2003

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

Dear Mr. Speaker: I would like to request permission to be excused from Session on Wednesday, June 11, 2003. I have district business to attend to.

Thank you for your consideration of this matter. If you have any questions or concerns please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

June 11, 2003

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

Dear Speaker Wesson: I respectfully request that I be excused from Assembly Check-in Session for Wednesday, June 11, 2003. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending floor session. Should you have any questions regarding my absence, please do not hesitate to contact my office at (916) 319-2060.

Thank you in advance for your consideration of this matter.

Sincerely,

BOB PACHECO, Assembly Member
Sixtieth District

(NOTE: For letter explaining the absence of Assembly Member Simitian on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for June 10, 2003.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 11, 2003

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

Assembly Constitutional Amendment No. 17

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 112—Bogh. Relative to the California Department of Forestry and Fire Protection firefighters.**AUTHOR'S AMENDMENTS****Committee on Insurance**

June 11, 2003

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

Senate Bill No. 691

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

VARGAS, Chair

SENATE BILL NO. 691—An act to add Section 676.18 to the Insurance Code, relating to credit history.

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 Banking and Finance**

June 11, 2003

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Senate Bill No. 1

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

WIGGINS, Chair

SENATE BILL NO. 1—An act to add Division 1.2 (commencing with Section 4050) to the Financial Code, relating to financial 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.

AUTHOR'S AMENDMENTS**Committee on Judiciary**

June 11, 2003

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

Senate Bill No. 59

Senate Bill No. 90

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

CORBETT, Chair

SENATE BILL NO. 59—An act to add Section 366.28 to the Welfare and Institutions Code, relating to adoption.

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.

SENATE BILL NO. 90—An act to amend Section 1950.5 of the Civil Code, relating to tenancy.

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 Human Services

June 11, 2003

Mr. Speaker: The Chair of your Committee on Human Services reports:

Senate Bill No. 540

Senate Bill No. 577

Senate Bill No. 739

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

WOLK, Chair

SENATE BILL NO. 540—An act to add Section 1569.628 to the Health and Safety Code, relating to residential care facilities for the elderly.

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.

SENATE BILL NO. 577—An act to amend Section 1798.24b of the Civil Code, and to amend Sections 4514.3, 4900, 4901, 4902, 4903, 4905, and 5328.06 of the Welfare and Institutions Code, relating to public social 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.

SENATE BILL NO. 739—An act to add and repeal Section 10553.3 of the Welfare and Institutions Code, relating to tribal 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.

AUTHOR'S AMENDMENTS
Committee on Judiciary

June 11, 2003

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

Senate Bill No. 345

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

CORBETT, Chair

SENATE BILL NO. 345—An act to amend Sections 1954.52 and 1954.53 of the Civil Code, to amend Sections 1161.2 and 1166 of, and to add Section 1178.5 to, the Code of Civil Procedure, and to amend Section 34332 of the Health and Safety Code, relating to tenancy.

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

June 11, 2003

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

Senate Bill No. 303

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

SALINAS, Chair

SENATE BILL NO. 303—An act to amend Section 17075.15 of the Education Code, and to amend Sections 53321 and 53345.8 of, and to add Section 53313.51 to the Government Code, relating to, local agency 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 Governmental Organization

June 11, 2003

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:

Senate Bill No. 88

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

JEROME HORTON, Chair

SENATE BILL NO. 88—An act to add Section 23399.6 to 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.

REPORTS OF STANDING COMMITTEES
Committee on Higher Education

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 728

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

LIU, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 146

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

CORBETT, Chair

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

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 508

Senate Bill No. 804

With the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 113

Senate Bill No. 169

Senate Bill No. 600

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 bills be placed on the Consent Calendar.

CORBETT, Chair

Above bills ordered to second reading.

Committee on Health

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 932

With the recommendation: Do pass.

FROMMER, Chair

Above bill ordered to second reading.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 308

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

FROMMER, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Concurrent Resolution No. 14

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.

FROMMER, Chair

Above resolution ordered to Consent Calendar.

Committee on Higher Education

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 242

Senate Bill No. 279

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

LIU, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Higher Education reports:

Senate Bill No. 955

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.

LIU, Chair

Above bill ordered to second reading.

Committee on Health

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 685

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

FROMMER, Chair

Above bill re-referred to the Committee on Business and Professions.

Committee on Transportation

Date of Hearing: June 9, 2003

Mr. Speaker: Your Committee on Transportation reports:

House Resolution No. 33

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

DUTRA, Chair

Above resolution ordered to second reading.

Committee on Judiciary

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 237

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

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 79

Senate Bill No. 328

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

CORBETT, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Health

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:

Assembly Concurrent Resolution No. 106

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.

FROMMER, Chair

Above resolution ordered to Consent Calendar.

Committee on Public Safety

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 44

Senate Bill No. 450

Senate Bill No. 784

With the recommendation: Do pass.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 570

Senate Bill No. 903

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 bills be placed on the Consent Calendar.

LENO, Chair

Above bills ordered to second reading.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 968

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

LENO, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 255

Senate Bill No. 316

Senate Bill No. 873

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

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

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

SENATE BILL NO. 612—An act to add Section 21115.5 to the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 671—An act to amend Sections 13570 and 13651 of the Business and Professions Code, relating to motor vehicle fuel.

Bill read second time, and ordered to third reading.

ADJOURNMENT

At 4:10 p.m., the Assembly adjourned until 9 a.m., Thursday, June 12, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 11, 2003**

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

SB	RN	
1	0313819	
59	0313774	
88	0313526	
90	0313811	
303	0313699	
345	0313817	
540	0313736	
577	0313721	
691	0313490	
739	0312285	
Daily Total:		10
Cumulative Total:		2031

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