

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, June 17, 2003

NINETIETH SESSION DAY

ONE HUNDRED NINETY-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
Tuesday, June 17, 2003

The Assembly met at 7 a.m.

Hon. Keith Richman, Assembly Member, 38th 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—78:

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

Quorum present.

At 11:50 a.m., Hon. Dave Cox, 5th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

On legislative business: Assembly Member Bates.

Because of a death in his family: Assembly Member Keene.

EXPLANATIONS OF ABSENCE

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

June 16, 2003

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

Dear Mr. Speaker,

The purpose of this letter is to respectfully request permission to be absent for Session on Tuesday, June 17th, 2003.

I will be speaking at an event as well as conducting legislative business within my district.

Thank you in advance for your prompt attention to this matter. Should you have any questions, please contact my Chief of Staff Cory Botts at 319-2073.

Sincerely,

PATRICIA C. BATES, Assembly Member
Seventy-third District

COMMUNICATIONS

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

June 16, 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 Mervyn Dymally to replace Assemblymember Darrell Steinberg on the Joint Legislative Audit Committee.

Sincerely,

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

June 16, 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 Fran Pavley to fill the vacancy on the Assembly Judiciary Committee for the Tuesday, June 17th hearing only.

Sincerely,

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

June 16, 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 Tim Leslie to replace Assemblymember Rick Keene as Vice Chair and Assemblymember Guy Houston to replace Assemblymember Tim Leslie on the Assembly Water, Parks and Wildlife Committee for the Tuesday, June 17th hearing only.

Sincerely,

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

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 114—Leslie. Relative to Harmful Nonnative Weeds Awareness Week.

AUTHOR'S AMENDMENTS **Committee on Higher Education**

June 17, 2003

Mr. Speaker: The Chair of your Committee on Higher Education reports:
 Senate Bill No. 193

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

LIU, Chair

SENATE BILL NO. 193—An act to add Chapter 15.3 (commencing with Section 67370) to Part 40 of the Education Code, relating to postsecondary education.

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 Insurance**

June 17, 2003

Mr. Speaker: The Chair of your Committee on Insurance reports:
 Assembly Bill No. 700

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

VARGAS, Chair

ASSEMBLY BILL NO. 700—An act to amend Section 12968 of the Insurance Code, relating to the Department of Insurance.

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

June 17, 2003

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

Senate Bill No. 276
Senate Bill No. 300
Senate Bill No. 435

Senate Bill No. 919
Senate Bill No. 970

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

LENO, Chair

SENATE BILL NO. 276—An act to amend Sections 11100, 11100.1, 11104, 11106, 11107, and 11107.1 of the Health and Safety Code, relating to controlled substances, 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.

SENATE BILL NO. 300—An act to add Section 2912.5 to the Penal Code, relating to foreign prisoners.

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. 435—An act to amend Section 12054 of the Penal Code, relating to concealed firearms.

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. 919—An act to amend Sections 241 and 243 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.

SENATE BILL NO. 970—An act to add Sections 11077.1 and 11077.2 to, and to amend Section 11077 of, the Penal Code, relating to criminal offender record information.

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

June 17, 2003

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

Senate Bill No. 674

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

GOLDBERG, Chair

SENATE BILL NO. 674—An act to amend Section 37700 of the Education Code, relating to schooldays.

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

June 17, 2003

Mr. Speaker: The Chair of your Committee on Education reports:
Assembly Bill No. 349

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

GOLDBERG, Chair

ASSEMBLY BILL NO. 349—An act to add and repeal Part 26.5 (commencing with Section 46700) to the Education Code, relating to education financing.

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 Health

Date of Hearing: June 10, 2003

Mr. Speaker: Your Committee on Health reports:
Senate Bill No. 377

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

FROMMER, Chair

Above bill ordered to second reading.

Committee on Natural Resources

Date of Hearing: June 16, 2003

Mr. Speaker: Your Committee on Natural Resources reports:
Senate Bill No. 296
Senate Bill No. 694

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

JACKSON, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 16, 2003

Mr. Speaker: Your Committee on Natural Resources reports:
Senate Joint Resolution No. 5

With the recommendation: Be adopted.

JACKSON, Chair

Above resolution ordered to third reading.

Committee on Business and Professions

Date of Hearing: June 17, 2003

Mr. Speaker: Your Committee on Business and Professions reports:
Senate Bill No. 110

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.

CORREA, Chair

Above bill ordered to second reading.

Date of Hearing: June 17, 2003

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 443

With the recommendation: Do pass, and be re-referred to the Committee on Public Safety with recommendation: To Consent Calendar.

CORREA, Chair

Above bill re-referred to the Committee on Public Safety.

Date of Hearing: June 17, 2003

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 736

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

CORREA, Chair

Above bill re-referred to the Committee on Appropriations.

Date of Hearing: June 17, 2003

Mr. Speaker: Your Committee on Business and Professions reports:

Senate Bill No. 856

With the recommendation: Do pass, and be re-referred to the Committee on Natural Resources with recommendation: To Consent Calendar.

CORREA, Chair

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

Committee on Education

Date of Hearing: June 11, 2003

Mr. Speaker: Your Committee on Education reports:

Senate Bill No. 290

Senate Bill No. 469

With amendments with the recommendation: Do pass, as amended, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

GOLDBERG, Chair

Above bills ordered to second reading.

CONSIDERATION OF DAILY FILE SECOND READING OF ASSEMBLY BILLS

ASSEMBLY JOINT RESOLUTION NO. 34—Relative to hate crimes.

Resolution read; amendments proposed by the Committee on Public Safety read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

SECOND READING OF SENATE BILLS

SENATE JOINT RESOLUTION NO. 10—Relative to Medicare prescription drug coverage.

Resolution read; amendments proposed by the Committee on Health read and adopted; resolution ordered reprinted and to be placed upon the third reading file.

SENATE BILL NO. 818—An act to amend Sections 71801 and 71802 of the Government Code, and to amend Section 1 of Chapter 1047 of the Statutes of 2002, relating to courts.

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

SENATE BILL NO. 651—An act to amend Section 52335.2 of the Education Code, relating to school finance.

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

SENATE BILL NO. 84—An act to repeal Section 44306 of the Education Code, relating to teacher credentialing.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 187—An act to amend Sections 44325, 44326, 44328, and 44830.3 of the Education Code, relating to district interns, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 45—An act to amend Section 44830 of the Education Code, relating to teachers.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 407—An act to add Chapter 6.4 (commencing with Section 30030) to Division 3 of Title 3 of the Government Code, and to add Section 97.5 to the Revenue and Taxation Code, relating to local government finance.

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

SENATE BILL NO. 182—An act to amend Sections 7620, 7630, 7662, 7669, 8614, 8714, 8714.5, 8715, and 8814.5 of, and to amend and renumber Section 8714.7 of, the Family Code, and to add Section 1516.5 to the Probate Code, relating to adoption.

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

SENATE BILL NO. 732—An act to amend Sections 597b, 597c, 597i, and 597j of the Penal Code, relating to animals.

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

SENATE BILL NO. 567—An act to amend Sections 25132 and 36900 of the Government Code, relating to local ordinances.

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

SENATE BILL NO. 378—An act to amend Section 4467 of the Vehicle Code, relating to vehicles.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, June 18, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 17, 2003

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

AB	RN
349	0313603
700	0313758

AJR	RN
34	0313761

SB	RN
182	0313797
193	0314100
276	0313947
300	0314029
378	0313752
407	0313918
435	0313143
567	0313814
651	0313614
674	0313824
732	0313784
818	0313688
919	0313163
970	0314003

SJR	RN
10	0313841

Daily Total:	18
Cumulative Total:	2073

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