

CALIFORNIA LEGISLATURE

2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, July 1, 2003

NINETY-SEVENTH SESSION DAY

TWO HUNDRED TWELFTH 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

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PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, July 1, 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—79:

Aghazarian	Dutton	Levine	Parra
Bates	Dymally	Lieber	Pavley
Benoit	Frommer	Liu	Plescia
Berg	Garcia	Longville	Reyes
Bermudez	Goldberg	Lowenthal	Richman
Bogh	Hancock	Maddox	Ridley-Thomas
Calderon	Harman	Maldonado	Runner
Campbell	Haynes	Matthews	Salinas
Canciamilla	Horton, Jerome	Maze	Samuelian
Chan	Horton, Shirley	McCarthy	Simitian
Chavez	Houston	Montanez	Spitzer
Chu	Jackson	Mountjoy	Steinberg
Cogdill	Keene	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	

Quorum present.

At 1:15 p.m., Hon. Sharon Runner, 36th 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 Member was granted leave of absence for the day:

Because of illness: Assembly Member Firebaugh.

SPECIAL COMMITTEE MEETINGS

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

Jobs, Economic Development and the Economy, on Thursday, July 3, 2003, upon Call of the Chair;

Select Committee on Information Technology and High Tech Workforce, on Tuesday, July 22, 2003.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 1, 2003

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

Assembly Bill No. 252

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, July 1, 2003

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

Assembly Bill No. 1347

And reports the same correctly enrolled, and presented to the Governor on the 1st day of July, 2003, at 2:30 p.m.

E. DOTSON WILSON, Chief Clerk

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 44—Koretz (Coauthors: Chavez, Cohn, Frommer, Goldberg, Hancock, Laird, Lieber, Lowenthal, Steinberg, and Wolk). Relative to Holocaust era insurance policies.

AUTHOR'S AMENDMENTS**Committee on Health**

July 1, 2003

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

Senate Bill No. 189

Senate Bill No. 322

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

FROMMER, Chair

SENATE BILL NO. 189—An act relating to environmental 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.

SENATE BILL NO. 322—An act to add and repeal Sections 125118, 125119, 125120, and 125121 of the Health and Safety Code, relating to medical research.

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 Utilities and Commerce**

July 1, 2003

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:

Senate Bill No. 720

Senate Bill No. 888

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

REYES, Chair

SENATE BILL NO. 720—An act to amend Section 884 of the Public Utilities Code, relating to telecommunications.

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. 888—An act to amend Sections 335, 348, 352, 364, 367, 377, 379, 392, and 9604 of, to amend and renumber Section 454.1 of, to add Sections 330.1, 330.2, 330.4, 330.6, 367.5, 393.1, 393.2, 454.55, 454.10, 701.2, 739.12, and 761.7 to, to repeal Sections 334, 338, 341.1, 341.5, 346, 350, 355, 356, 359, 360, 361, 365.5, 366.5, 367.7, 370, 373, 376, 378, 389, 391, 397, 9600, 9601, 9602, 9603, and 9605 of, and to repeal and add Sections 330, 365, and 366 of, the Public Utilities Code, relating to public utilities.

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

July 1, 2003

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

Senate Bill No. 138

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

DUTRA, Chair

SENATE BILL NO. 138—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 Health

July 1, 2003

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

Senate Bill No. 261

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

FROMMER, Chair

SENATE BILL NO. 261—An act to amend Section 1375.4 of, and to add Sections 1375.9, 1375.10, 1375.11, and 1375.12 to, the Health and Safety Code, relating to health care service plans.

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

July 1, 2003

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

Senate Bill No. 732

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

STEINBERG, Chair

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; 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**

July 1, 2003

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

Senate Bill No. 641

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

LONGVILLE, Chair

SENATE BILL NO. 641—An act to amend Section 82041.5 of, and to add Section 84305.7 to, the Government Code, relating to elections, 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 Higher Education**

July 1, 2003

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

Senate Bill No. 971

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

LIU, Chair

SENATE BILL NO. 971—An act to add Sections 89500.3, 89500.5, and 89500.7 to the Education Code, relating to the California State University.

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**

July 1, 2003

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

Senate Bill No. 122

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

CORBETT, Chair

SENATE BILL NO. 122—An act to add Section 17204.6 to the Business and Professions Code, relating to unfair competition.

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**

July 1, 2003

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

Senate Bill No. 252

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

CORREA, Chair

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 704

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

JACKSON, Chair

Above bill re-referred to the Committee on Utilities and Commerce.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Senate Bill No. 1032

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

COHN, Chair

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

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Senate Bill No. 978

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

COHN, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 17

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

DUTRA, Chair

Above resolution re-referred to the Committee on Appropriations.

Committee on Water, Parks and Wildlife

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 297

Senate Bill No. 623

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

CANCIAMILLA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 216

Senate Bill No. 317

Senate Bill No. 318

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

CANCIAMILLA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 56

Senate Bill No. 745

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.

CANCIAMILLA, Chair

Above bills ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 411

With the recommendation: Do pass, and be re-referred to the Committee on Environmental Safety and Toxic Materials.

CANCIAMILLA, Chair

Above bill re-referred to the Committee on Environmental Safety and Toxic Materials.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 833

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

CANCIAMILLA, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 654

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

CANCIAMILLA, Chair

Above bill re-referred to the Committee on Local Government.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 1074

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

CANCIAMILLA, Chair

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

Committee on Revenue and Taxation

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 17

Senate Bill No. 180

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

CHAVEZ, Chair

Above bills re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Transportation reports:
Assembly Concurrent Resolution No. 67

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

DUTRA, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Transportation reports:
Assembly Joint Resolution No. 37

With the recommendation: Be adopted.

DUTRA, Chair

Above resolution ordered to third reading.

Committee on Business and Professions

Date of Hearing: July 1, 2003

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

Senate Bill No. 376 Senate Bill No. 545
Senate Bill No. 490 Senate Bill No. 969

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

CORREA, Chair

Above bills re-referred to the Committee on Health.

Date of Hearing: July 1, 2003

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

Senate Bill No. 41
Senate Bill No. 359
Senate Bill No. 967

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

CORREA, Chair

Above bills re-referred to the Committee on Higher Education.

Date of Hearing: July 1, 2003

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

Senate Bill No. 403

With the recommendation: Do pass, and be re-referred to the Committee on Jobs, Economic Development, and the Economy.

CORREA, Chair

Above bill re-referred to the Committee on Jobs, Economic Development, and the Economy.

Date of Hearing: July 1, 2003

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

Senate Bill No. 590

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

CORREA, Chair

Above bill re-referred to the Committee on Judiciary.

Committee on Judiciary

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 602

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: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 619

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

CORBETT, Chair

Above bill re-referred to the Committee on Housing and Community Development.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 584

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

CORBETT, Chair

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

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 116

Senate Bill No. 265

Senate Bill No. 902

With the recommendation: Do pass.

CORBETT, Chair

Above bills ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 458

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.

CORBETT, Chair

Above bill ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 298

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

CORBETT, Chair

Above bill re-referred to the Committee on Appropriations.

Committee on Utilities and Commerce

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 772

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

REYES, Chair

Above bill re-referred to the Committee on Governmental Organization.

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Utilities and Commerce reports:

Senate Bill No. 666

Senate Bill No. 911

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

REYES, Chair

Above bills re-referred to the Committee on Appropriations.

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

SENATE JOINT RESOLUTION NO. 6—Relative to emergency services.

Resolution read; amendments proposed by the Committee on Governmental Organization read and adopted, resolution ordered reprinted and to be re-referred to the Committee on Appropriations.

**UNFINISHED BUSINESS
MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 100 and Senate Bill No. 1041 were continued until the next legislative day.

MESSAGES FROM THE SENATE

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 80

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bill ordered to unfinished business file.

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed as amended:

Assembly Bill No. 374
Assembly Bill No. 376
Assembly Bill No. 610
Assembly Bill No. 774
Assembly Bill No. 805

Assembly Bill No. 924
Assembly Bill No. 1105
Assembly Bill No. 1436
Assembly Bill No. 1537

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

Above bills ordered to unfinished business file.

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted as amended:

Assembly Concurrent Resolution No. 17
 Assembly Concurrent Resolution No. 29
 Assembly Concurrent Resolution No. 39

And respectfully requests the Assembly to concur in said amendments.

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Above resolutions ordered to unfinished business file.

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 7
 Assembly Concurrent Resolution No. 19
 Assembly Concurrent Resolution No. 30
 Assembly Concurrent Resolution No. 35
 Assembly Concurrent Resolution No. 38
 Assembly Concurrent Resolution No. 54
 Assembly Concurrent Resolution No. 73

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Above resolutions ordered enrolled.

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 580
 Assembly Bill No. 605
 Assembly Bill No. 1573

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Above bills ordered enrolled.

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 134	Senate Bill No. 567
Senate Bill No. 187	Senate Bill No. 600
Senate Bill No. 303	Senate Bill No. 804
Senate Bill No. 333	Senate Bill No. 1040
Senate Bill No. 508	Senate Concurrent Resolution No. 37

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1002

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Senate Chamber, June 30, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 1

GREGORY P. SCHMIDT, Secretary of the Senate
 By John W. Rovane, Assistant Secretary

Senate Chamber, July 1, 2003

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 24

GREGORY P. SCHMIDT, Secretary of the Senate
By John W. Rovane, Assistant Secretary

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 1002—An act to amend Sections 25281 and 25297.1 of the Health and Safety Code, relating to hazardous substances and declaring the urgency thereof, to take effect immediately.

The following resolutions were read:

SENATE CONSTITUTIONAL AMENDMENT NO. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article I thereof, relating to access to government information.

SENATE CONCURRENT RESOLUTION NO. 24—Relative to highway designations.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 10:30 a.m., Wednesday, July 2, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

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

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

SB RN

122	0315212
138	0312198
189	0314746
252	0315176
261	0315087
322	0314504
641	0313257
720	0314674
732	0314915
888	0315169
971	0314414

SJR RN

6	0313818
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Daily Total:	12
Cumulative Total:	2272

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