

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Wednesday, July 2, 2003**

**NINETY-EIGHTH SESSION DAY**

**TWO HUNDRED THIRTEENTH 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

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Wednesday, July 2, 2003

The Assembly met at 10:30 a.m.  
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 Chan moved a quorum call of the Assembly.  
Motion carried. Time, 10:31 a.m.  
The Speaker pro Tempore directed the Sergeant at Arms to close the  
doors, and to bring in the absent Members.

#### Quorum Present

At 10:53 a.m., Speaker pro Tempore Kehoe declared a quorum of the  
Assembly present.

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

**PRAYER**

Upon invitation of Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Alternate Chaplain Pastor Ivan L. Williams, Sr.:

*Our Father in Heaven,* It is with thankful and grateful hearts, that we welcome Your guidance and presence on this day. As this august Assembly faces the daunting challenges of fiscal responsibility, fairness, and equality in this state, may Your divine wisdom accompany their actions, this and each day. To Your glory and in Your name I pray—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Kehoe, Assembly Member Matthews 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 Cox.

**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.*

**COMMUNICATIONS**

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

July 1, 2003

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

Subject: Per Diem refusal

Dear Speaker Wesson: I respectfully request that I not receive per diem for any period of time that the Assembly may be in session throughout the Legislative Summer Recess from July 19 to August 17, 2003. Thank you.

Sincerely,

LOU CORREA, Assembly Member  
Sixty-ninth District

July 1, 2003

*Mr. E. Dotson Wilson*  
*Chief Clerk, California Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of Jay Hansen  
to State Compensation Insurance Fund, Board of Directors

Dear Mr. Wilson: Please be advised I have appointed Mr. Jay Hansen as my designee to the State Compensation Insurance Fund, Board of Directors. This is a pleasure appointment starting July 1, 2003.

Sincerely,

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

July 1, 2003

*Mr. E. Dotson Wilson*  
*Chief Clerk, California Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of Joaquin Wallace  
to California Quality Education Commission

Dear Mr. Wilson: Please be advised I have appointed Dr. Joaquin Wallace to the California Quality Education Commission. This is a term appointment starting July 1, 2003 and the expiration date is August 1, 2007.

Sincerely,

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

July 2, 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 Nicole Parra to the Assembly Select Committee on Groundwater Quality and Availability.

Sincerely,

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

July 2, 2003

*Mr. E. Dotson Wilson*  
*Chief Clerk, California Assembly*  
*State Capitol, Room 3196*  
*Sacramento, California*

RE: Appointment of Cindy Montañez  
to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Cindy Montañez to the State Allocation Board for today only. This is a pleasure appointment for July 2, 2003. Assemblymember Marco Firebaugh will resume his appointment on July 3, 2003.

Sincerely,

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

#### REPORTS

The following reports were presented by the Chief Clerk:

**March, April, and May 2003**  
**Report of Lifer Parole Hearings**  
**(Pursuant to Penal Code Section 3041(d))**

Above transmitted report, together with letter of transmittal from Marvin E. Speed, Executive Officer, Board of Prison Terms, dated April 8, 2003, referred by the Speaker to the Committee on Public Safety.

**Biennial Report to the Legislature on**  
**the Status of The Arbitration Certification Program 2001–2002**  
**(Pursuant to Business and Professions Code Section 472.4(e))**

Above transmitted report, together with letter of transmittal from Kristy Wiese, Deputy Director, Division of Legislative and Regulatory Review, Department of Consumer Affairs, dated June 23, 2003, referred by the Speaker to the Committee on Business and Professions.

**2002 California Workers Compensation Losses and Expenses**  
**(Pursuant to Insurance Code Section 11759.1)**

Above transmitted report, together with letter of transmittal from David M. Bellusci, Senior Vice President and Chief Actuary, Worker's Compensation Insurance Rating Bureau, dated June 25, 2003, referred by the Speaker to the Committee on Insurance.

**Mathematics and Reading**  
**Professional Development Program Report**  
**(Pursuant to Assembly Bill 466, Chapter 737, Statutes of 2001)**

Above transmitted report, together with letter of transmittal from Jack O'Connell, State Superintendent of Public Instruction, Department of Education, dated June 25, 2003, referred by the Speaker to the Committee on Education.

**Tow Truck Advisory Committee Report**  
**(Pursuant to Vehicle Code Section 2425)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated June 25, 2003, referred by the Speaker to the Committee on Transportation.

**Quarterly Progress Report for  
the Office of Criminal Justice Planning (OCJP) Evaluation Unit  
April 1, 2003 through June 30, 2003  
(Pursuant to Supplemental Language of the Budget Act of 1998-99  
Item 8100-001-001)**

Above transmitted report, together with letter of transmittal from Wayne Strumpfer, Interim Executive Director, Office of Criminal Justice Planning, dated June 30, 2003, referred by the Speaker to the Committee on Budget.

**Annual Review of  
Electronic Informal Complaint Filing Procedures  
(Pursuant to Public Utilities Code Section 311.4)**

Above transmitted report, together with letter of transmittal from Wesley M. Franklin, Executive Director, Public Utilities Commission, dated July 1, 2003, referred by the Speaker to the Committee on Utilities and Commerce.

**Department of General Services  
April 2003 Quarterly Report on the Capital Area East End Complex  
(Pursuant to Government Code Section 8169.5)**

Above report referenced in communication from Clothide V. Hewlett, Interim Director, Department of General Services, dated June 17, 2003, stating availability of report at DGS website. Referred by the Speaker to the Committee on Business and Professions.

**SENATE BILL NO. 1043 SET FOR SPECIAL ORDER**

Speaker Wesson was granted unanimous consent that Senate Bill No. 1043 be made a special order of business for Sunday, July 6, 2003, at 4 p.m.

**At 10:55 a.m., Speaker Herb Wesson, 47th District, presiding**

**ANNOUNCEMENTS**

Speaker Wesson announced the following session schedule:  
Thursday, July 3, 2003, Floor session, 9 a.m.;  
Sunday, July 6, 2003, Floor session, 4 p.m.

**ADJOURN IN MEMORY**

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Melvonna Marie Ballenger, of Los Angeles.

Speaker pro Tempore Kehoe was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James Alvin Moody, of San Diego.

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Dorthy Lee, of Oceanside and Roland Olsen, of San Juan Capistrano.

Assembly Member Jerome E. Horton was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jovette Jones, of Yucca Valley.

Assembly Member Runner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hal Marlowe, of Toluca Lake and Pearl F. Kelleher, of Sacramento.

**MOTION TO ADJOURN**

At 10:56 a.m., Assembly Member Kehoe moved that the Assembly do now adjourn.

Assembly Member Strickland seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 10:57 p.m., Speaker Wesson declared the quorum call of the Assembly dispensed with.

**SPECIAL COMMITTEE MEETINGS**

By unanimous consent, the following committee was permitted to meet:

Human Services, on Tuesday, July 8, 2003, at 10 a.m., in Room 444.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 2, 2003

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

Assembly Joint Resolution No. 37

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 119—Pacheco.** Relative to the Reserve Officers Training Corps.

**ASSEMBLY JOINT RESOLUTION NO. 45—Mountjoy and La Suer.** Relative to extradition treaty with Mexico.

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

July 2, 2003

Mr. Speaker: The Chair of your Committee on Governmental Organization reports: Senate Bill No. 814

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

JEROME HORTON, Chair

**SENATE BILL NO. 814**—An act to amend Sections 19801, 19962, and 19963 of the Business and Professions Code, relating to gambling.

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 Employees, Retirement and Social Security**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 440

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

NEGRETE McLEOD, Chair

**SENATE BILL NO. 440**—An act relating to state employees, 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**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:  
Senate Bill No. 157

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

CHAVEZ, Chair

**SENATE BILL NO. 157**—An act to add Chapter 1.5 (commencing with Section 6025) to 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 Education**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Education reports:  
Senate Bill No. 373

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

GOLDBERG, Chair

**SENATE BILL NO. 373**—An act to amend Section 64001 of, and to add Section 60242.1 to, the Education Code, relating to school accountability.

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 Natural Resources**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Natural Resources reports:  
Senate Bill No. 700

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

JACKSON, Chair

**SENATE BILL NO. 700**—An act to amend Section 42310 of, and to add Sections 39011.5, 39023.3, 40724, 40724.5, 40731, 41511.5, 42301.16, 42301.17, and 44559.9 to, the Health and Safety Code, relating to air quality.

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 2, 2003

Mr. Speaker: The Chair of your Committee on Higher Education reports:  
Senate Bill No. 338

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

LIU, Chair

**SENATE BILL NO. 338**—An act to amend Sections 48800, 48802, and 76002 of the Education Code, relating to public schools.

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 2, 2003

Mr. Speaker: The Chair of your Committee on Appropriations reports:  
Senate Bill No. 296

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

STEINBERG, Chair

**SENATE BILL NO. 296**—An act to relating to public trust lands.

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 Labor and Employment**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Labor and Employment reports:  
Senate Bill No. 534  
Senate Bill No. 796

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

KORETZ, Chair

**SENATE BILL NO. 534**—An act to amend Section 1171.5 of the Labor Code, relating to employment.

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. 796**—An act to add Part 13 (commencing with Section 2698) to Division 2 of the Labor Code, relating to employment.

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 2, 2003

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

Senate Bill No. 231

Senate Bill No. 853

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

FROMMER, Chair

**SENATE BILL NO. 231**—An act to add Section 124982 to the Health and Safety Code, relating to hereditary disorders.

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. 853**—An act to amend Section 1367 of, and to add Section 1367.04 to, the Health and Safety Code, and to add Section 10133.4 to the Insurance Code, relating to health care coverage.

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 Natural Resources**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Natural Resources reports:

Senate Bill No. 1074

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

JACKSON, Chair

**SENATE BILL NO. 1074**—An act to amend Section 115840.5 of, and to amend and repeal Section 115825 of, the Health and Safety Code, and to amend Sections 21092 and 48003 of the Public Resources Code, relating to environmental health, 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**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Senate Bill No. 1060

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

CHAVEZ, Chair

**SENATE BILL NO. 1060**—An act to amend Sections 6405, 6459, 7093.5, 7326, 8105, 9271, 30459.1, 32471, 40211, 41171, 43522, 45867, 46622, 50156.11, 55332, 60022, 60507, 60604, 60606, and 60636 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**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Water, Parks and Wildlife reports:  
Senate Bill No. 692

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

CANCIAMILLA, Chair

**SENATE BILL NO. 692**—An act to amend Section 853 of the Fish and Game Code, relating to the Department of Fish and Game.

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**

July 2, 2003

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

Senate Bill No. 411

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

LAIRD, Chair

**SENATE BILL NO. 411**—An act to add Section 79568.1 to the Water Code, relating to public resources.

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**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Senate Bill No. 930

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

JEROME HORTON, Chair

**SENATE BILL NO. 930**—An act to amend Section 12012.85 of the Government Code, 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.

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

July 2, 2003

Mr. Speaker: The Chair of your Committee on Education reports:  
Senate Bill No. 481

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

GOLDBERG, Chair

**SENATE BILL NO. 481**—An act to amend Section 8484.8 of the Education Code, relating to afterschool 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Public Safety**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Senate Bill No. 761

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

LENO, Chair

**SENATE BILL NO. 761**—An act to amend Sections 1278 and 1287 of the Penal Code, relating to bail 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.

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Health reports:  
Senate Bill No. 679

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

FROMMER, Chair

**SENATE BILL NO. 679**—An act to add Article 21 (commencing with Section 114500) to Chapter 4 of Part 7 of Division 104 of the Health and Safety Code, relating to restaurants.

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 2, 2003

Mr. Speaker: The Chair of your Committee on Utilities and Commerce reports:  
Senate Bill No. 704

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

REYES, Chair

**SENATE BILL NO. 704**—An act to add Section 41606 to the Health and Safety Code, relating to air quality.

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 2, 2003

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

Senate Bill No. 610

Senate Bill No. 850

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

LONGVILLE, Chair

**SENATE BILL NO. 610**—An act to amend Section 12302 of, and to repeal and add Section 12309 of, the Elections 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.

**SENATE BILL NO. 850**—An act to amend Sections 8803, 8805, 8806, 8808, 8809, 8810, and 8811 of the Elections 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 Education**

July 2, 2003

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

Senate Bill No. 15

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

GOLDBERG, Chair

**SENATE BILL NO. 15**—An act to amend Sections 17073.15, 17073.20, 17074.10, 17077.42, 17078.52, 17078.54, 17078.58, and 17078.62 of, and to repeal Section 17078.50 of, the Education Code, relating to education 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 Business and Professions**

July 2, 2003

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

Senate Bill No. 973

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

CORREA, Chair

**SENATE BILL NO. 973**—An act to amend Section 12102 of the Public Contract 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 Banking and Finance**

July 3, 2003

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:  
Senate Bill No. 27

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

WIGGINS, Chair

**SENATE BILL NO. 27**—An act to amend Section 1798.84 of, and to repeal and add Section 1798.83 to, the Civil Code, relating to personal 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 Insurance**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Insurance reports:  
Senate Bill No. 354  
Senate Bill No. 620

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

VARGAS, Chair

**SENATE BILL NO. 354**—An act to amend Sections 1871.4, 11760, and 11880 of, and to add Section 11661.8 to, the Insurance Code, and to amend Section 139.3 of, and to add Section 4600.2 to, the Labor Code, relating to workers' compensation 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.

**SENATE BILL NO. 620**—An act to amend Sections 787, 10127.10, 10127.13, and 10509.8 of, and to add Sections 789.9, 789.10, 1724, 1749.8, 10127.17, and 10127.18 to, the Insurance Code, relating to 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 Housing and Community Development**

July 2, 2003

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 619

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

LOWENTHAL, Chair

**SENATE BILL NO. 619**—An act to amend Sections 65008, 65400, 65589.5, and 65914 of the Government Code, to amend Sections 50650.3, 50650.4, and 50650.5 of the Health and Safety Code, and to amend Section 30604 of the Public Resources 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.

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

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:  
Senate Bill No. 401

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

LENO, Chair

Above bill re-referred to the Committee on Rules.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:  
Senate Bill No. 408

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

LENO, Chair

Above bill re-referred to the Committee on Transportation.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:  
Senate Bill No. 496

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.

LENO, Chair

Above bill ordered second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:  
Senate Bill No. 420  
Senate Bill No. 549

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

LENO, Chair

Above bills re-referred to the Committee on Health.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 221	Senate Bill No. 599
Senate Bill No. 226	Senate Bill No. 781
Senate Bill No. 276	Senate Bill No. 851
Senate Bill No. 337	Senate Bill No. 879

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

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 3	Senate Bill No. 416
Senate Bill No. 132	Senate Bill No. 443
Senate Bill No. 151	Senate Bill No. 489
Senate Bill No. 278	Senate Bill No. 919
Senate Bill No. 300	Senate Bill No. 970
Senate Bill No. 356	

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

LENO, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Public Safety reports:

Senate Bill No. 684

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

LENO, Chair

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

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 68

Senate Bill No. 923

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

LAIRD, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Housing and Community Development**

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Bill No. 538

With the recommendation: Do pass.

LOWENTHAL, Chair

Above bill ordered to second reading.

**Committee on Environmental Safety and Toxic Materials**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 181

With the recommendation: Do pass.

LAIRD, Chair

Above bill ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Environmental Safety and Toxic Materials reports:

Senate Bill No. 334

Senate Bill No. 922

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

LAIRD, Chair

Above bills re-referred to the Committee on Water, Parks and Wildlife.

**Committee on Utilities and Commerce**

Date of Hearing: June 30, 2003

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

Senate Bill No. 67

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

REYES, Chair

Above bill ordered to second reading.



Date of Hearing: June 30, 2003

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

Senate Bill No. 920

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

REYES, Chair

Above bill ordered to second reading.

**Committee on Health**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 295

Senate Bill No. 617

Senate Bill No. 370

Senate Bill No. 875

Senate Bill No. 413

Senate Bill No. 1005

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

FROMMMER, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 2

With the recommendation: Do pass.

FROMMMER, Chair

Above bill ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 677

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

FROMMMER, Chair

Above bill re-referred to the Committee on Education.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Health reports:

Senate Bill No. 212

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

FROMMMER, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Housing and Community Development**

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Housing and Community Development reports:

Assembly Bill No. 812

With the recommendation: That the Senate amendments be concurred in.

LOWENTHAL, Chair

Above bill ordered to unfinished business.

**Committee on Human Services**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Human Services reports:

Senate Bill No. 947

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

WOLK, Chair

Above bill re-referred to the Committee on Appropriations.

**Committee on Veterans Affairs**

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Bill No. 926

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

PARRA, 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 Veterans Affairs reports:

Senate Bill No. 73

Senate Bill No. 838

Senate Bill No. 748

Senate Bill No. 1008

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

PARRA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Senate Bill No. 544

Senate Bill No. 965

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

PARRA, Chair

Above bills ordered to second reading.

Date of Hearing: July 1, 2003

Mr. Speaker: Your Committee on Veterans Affairs reports:

Assembly Joint Resolution No. 36

With the recommendation: Be adopted.

PARRA, 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. 33

Senate Bill No. 1077

Senate Bill No. 66

Senate Bill No. 1078

Senate Bill No. 165

Senate Bill No. 1079

Senate Bill No. 362

Senate Bill No. 1080

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

CORREA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

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

Senate Bill No. 175

Senate Bill No. 364

Senate Bill No. 358

Senate Bill No. 640

Senate Bill No. 363

Senate Bill No. 808

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

CORREA, Chair

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: July 1, 2003

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

Assembly Bill No. 685

With the recommendation: Do pass.

CORREA, Chair

Above bill ordered to second reading.

**Committee on Insurance**

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 125

Senate Bill No. 176

Senate Bill No. 841

With the recommendation: Do pass.

VARGAS, Chair

Above bills ordered to second reading.

Date of Hearing: July 2, 2003

Mr. Speaker: Your Committee on Insurance reports:

Senate Bill No. 618

Senate Bill No. 962

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

VARGAS, Chair

Above bills re-referred to the Committee on Appropriations.

**Committee on Natural Resources**

Date of Hearing: June 30, 2003

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 711

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

JACKSON, Chair

Above bill ordered to second reading.

**Committee on Utilities and Commerce**

Date of Hearing: June 30, 2003

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

Senate Bill No. 183

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

REYES, Chair

Above bill ordered to second reading.

**MESSAGES FROM THE GOVERNOR**

The following veto message from the Governor was received and ordered printed in the Journal and the bill ordered to the unfinished business file:

**Veto Message—Assembly Bill No. 697**

Governor's Office, Sacramento  
July 1, 2003

*To Members of the California State Assembly:*

I am returning Assembly Bill 697 without my signature.

Last year, I signed AB 2477 which established the State Excluded and Exempt Employee Salary-Setting Task Force. The Task Force's mandate is to develop and recommend by July 1, 2004, an equitable salary and benefit setting process for excluded and exempt employees in State government. This new process will address the primary concerns of excluded employees. Accordingly, this bill is premature until the task force has completed its mandate.

Furthermore, this bill would dilute the management structure of the State because managers, confidential employees, or other excluded employees who set State policy on wages, hours, and other terms and conditions of employment would meet and confer with management.

Sincerely,

GRAY DAVIS

**RECEIPT**

I acknowledge receipt this 1st day of July 2003 at 5:30 p.m., of Assembly Bill No. 697, without the Governor's signature, together with a statement of his objections thereto, signed by the Governor, delivered to me personally by Casey Elliott.

HUGH R. SLAYDEN

Acting Chief Clerk of the Assembly

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

**SENATE BILL NO. 56**—An act to add Sections 12749.93 and 12749.94 to the Water Code, relating to water development projects.

Bill read second time, and ordered to Consent Calendar.

(NOTE: Later this day Senate Bill No. 56 was re-referred to the Committee on Appropriations.)

**SENATE BILL NO. 745**—An act to amend Sections 66418.2 and 66426 of the Government Code, relating to land use.

Bill read second time, and ordered to Consent Calendar.

**SENATE BILL NO. 116**—An act to amend Section 798.51 of, and to add Sections 798.74.4 and 799.10 to, the Civil Code, relating to mobilehome parks.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 265**—An act to amend Section 3044 of the Family Code, relating to child custody.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 902**—An act to add Section 15867 to the Government Code, relating to state property.

Bill read second time, and ordered to third reading.

**SENATE BILL NO. 458**—An act to amend Section 945.5 of the Civil Code, relating to construction defects.

Bill read second time, and ordered to Consent Calendar.

#### **RE-REFERECE OF BILLS PURSUANT TO THE RULES**

On advice of the Legislative Counsel, and pursuant to the provisions of Joint Rule 10.5, the following bill was ordered re-referred to the Committee on Appropriations:

**Senate Bill No. 56.**

#### **ADJOURNMENT**

At 10:57 a.m., pursuant to the motion by Speaker pro Tempore Kehoe, the Assembly adjourned until 9 a.m., Thursday, July 3, 2003, out of respect to the memory of Melvonna Marie Ballenger, on motion of Speaker Wesson; out of respect to the memory of James Alvin Moody, on motion of Speaker pro Tempore Kehoe; out of respect to the memory of Dorothy Lee and Roland Olsen, on motion of Assembly Member Bates; out of respect to the memory of Jovette Jones, on motion of Assembly Member Jerome E. Horton; and out of respect to the memory of Hal Marlowe and Pearl F. Kelleher, on motion of Assembly Member Runner.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 2, 2003**

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

<b>SB</b>	<b>RN</b>
15	0314869
27	0315180
157	0314651
231	0315291
296	0315303
338	0314818
354	0315019
373	0314647
411	0315266
440	0314804
481	0314868
534	0315061
610	0314716
619	0315348
620	0315484
679	0315483
692	0315253
700	0315353
704	0315360
761	0314014
796	0315241
814	0315298
850	0315323
853	0315021
930	0315093
973	0314694
1060	0315435
1074	0315349

<b>Daily Total:</b>	<b>28</b>
<b>Cumulative Total:</b>	<b>2300</b>