

CALIFORNIA LEGISLATURE  
2003-04 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, August 19, 2003**

**ONE HUNDRED THIRTEENTH SESSION DAY  
TWO HUNDRED SIXTY-FIRST 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  
Tuesday, August 19, 2003

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th 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—75:

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

Quorum present.

**At 1:15 p.m., Hon. Ken Maddox, 68th 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 Jerome E. Horton and Pacheco.*

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

*Because of illness: Assembly Members Firebaugh and Leslie.*

**EXPLANATIONS OF ABSENCE**

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

August 19, 2003

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Check-In Session on Tuesday, August 19, 2003 and Wednesday, August 20, 2003, due to legislative business in my district. I will be returning to Sacramento on Thursday, August 21, 2003, in time for Assembly Floor Session.

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

Sincerely,

JEROME E. HORTON, Assembly Member  
Fifty-first District

August 18, 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 Tuesday, August 19, 2003. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending check-in 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

**COMMUNICATIONS**

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

August 19, 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 Bill Maze to replace Assemblymember Tom Harman on the Assembly Natural Resources Committee for the Wednesday, August 20th hearing only.

Sincerely,

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

**SPECIAL COMMITTEE MEETINGS**

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

Insurance, on August 21, 2003, upon adjournment of Floor Session;  
Veterans Affairs, on Monday, August 25, 2003, upon adjournment of Floor Session.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY JOINT RESOLUTION NO. 49**—**Dymally**. Relative to immigration.

**AUTHOR'S AMENDMENTS****Committee on Rules**

August 19, 2003

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

Senate Concurrent Resolution No. 12

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

NATION, Chair

**SENATE CONCURRENT RESOLUTION NO. 12**—Relative to the Joint Committee to Develop a Master Plan to End Poverty in California.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

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

August 19, 2003

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

Assembly Bill No. 1686

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

FROMMER, Chair

**ASSEMBLY BILL NO. 1686**—An act relating to health care benefits.

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 Veterans Affairs**

August 19, 2003

Mr. Speaker: The Chair of your Committee on Veterans Affairs reports:

Assembly Concurrent Resolution No. 119

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

PARRA, Chair

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

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

August 19, 2003

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Senate Bill No. 199

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

CORBETT, Chair

**SENATE BILL NO. 199**—An act to add Section 664 to the Civil Code, relating to genetic 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.

**REPORTS OF STANDING COMMITTEES**  
**Committee on Rules**

Date of Hearing: August 18, 2003

Mr. Speaker: Your Committee on Rules reports:  
Senate Concurrent Resolution No. 44

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 resolutions be placed on the Consent Calendar.

NATION, Chair

Above resolution ordered to the Consent Calendar.

Date of Hearing: August 18, 2003

Mr. Speaker: Your Committee on Rules reports:  
Assembly Concurrent Resolution No. 120

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.

NATION, Chair

Above resolution ordered to the Consent Calendar.

**Elections, Redistricting and Constitutional Amendments**

Date of Hearing: August 19, 2003

Mr. Speaker: Your Committee on Elections, Redistricting and Constitutional Amendments reports:

Senate Constitutional Amendment No. 1

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

LONGVILLE, Chair

Above resolution re-referred to the Committee on Appropriations.

**MESSAGES FROM THE SENATE**

August 19, 2003

*Hon. E. Dotson Wilson  
Chief Clerk of the Assembly  
Assembly Chamber*

Dear Dotson: By direction of the Senate I am returning Senate Bill 842 to the Assembly for further action.

Sincerely,

**GREGORY P. SCHMIDT**  
Secretary of the Senate

Above bill held at the Desk.

Senate Chamber, August 19, 2003

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

Assembly Bill No. 309  
Assembly Bill No. 846  
Assembly Bill No. 1379

Assembly Bill No. 1386  
Assembly Bill No. 1675

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, August 19, 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. 1  
Senate Bill No. 59  
Senate Bill No. 116  
Senate Bill No. 175  
Senate Bill No. 182  
Senate Bill No. 265

Senate Bill No. 440  
Senate Bill No. 538  
Senate Bill No. 732  
Senate Bill No. 818  
Senate Bill No. 1022  
Senate Bill No. 1045

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

Senate Chamber, August 19, 2003

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

Assembly Bill No. 1455

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

Above bill ordered enrolled.

Senate Chamber, August 19, 2003

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

Senate Concurrent Resolution No. 41  
Senate Concurrent Resolution No. 43

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

**FIRST READING OF SENATE BILLS**

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 41**—Relative to Baldrige National Quality Program.

**SENATE CONCURRENT RESOLUTION NO. 43**—Relative to Women Veterans' Highway.

**SECOND READING OF SENATE BILLS**

**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; amendments proposed by the Committee on Banking and Finance read and adopted, bill ordered reprinted and to be returned to the second reading file.

**SENATE BILL NO. 602**—An act to amend Sections 1785.11.1 and 1785.11.2 of, to add Section 1799.1b to, to add Title 1.81.2 (commencing with Section 1798.90.1) to Part 4 of Division 3 to, the Civil Code, to amend Sections 530.6 and 530.8 of the Penal Code, and to amend Section 2891 of the Public Utilities Code, relating to personal information.

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

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file:

**Senate Bill No. 348**, on request of Assembly Member Chan.

**UNFINISHED BUSINESS****MOTION TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 100 and Senate Bills Nos. 1041 and 1043 were continued until the next legislative day.

**ADJOURNMENT**

At 4:40 p.m., the Assembly adjourned until 7 a.m., Wednesday, August 20, 2003.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON AUGUST 19, 2003**

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

**AB RN**

1686 0315124

**ACR RN**

119 0317404

**SB RN**

27 0317675

199 0317436

602 0317609

**SCR RN**

12 0314661

**Daily Total: 6**

**Cumulative Total: 2582**

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