

CALIFORNIA LEGISLATURE
2003-04 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, August 27, 2003

**ONE HUNDRED EIGHTEENTH SESSION DAY
TWO HUNDRED SIXTY-NINTH 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, August 27, 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—77:

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

Quorum present.

At 1:20 p.m., Hon. Lou Correa, 69th 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 Mullin.

Because of illness: Assembly Members Diaz and Firebaugh.

EXPLANATIONS OF ABSENCE

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

August 26, 2003

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

Dear Mr. Speaker: This letter is to request to be excused from check-in Session on Wednesday, August 27, 2003 due to legislative business.

Your attention to this matter is greatly appreciated. If you have any questions please contact A. Alisia Nantze at 319-2019.

Sincerely,

GENE MULLIN, Assembly Member
Nineteenth District

COMMUNICATIONS

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

August 27, 2003

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

Dear Dotson: Please be advised that I have appointed Assemblymember Sally Lieber as a nonvoting, alternate member to the Conference Committee on Workers' Compensation Insurance (AB 149, AB 227, AB 968, AB 1099, AB 1215, AB 1262, AB 1324, AB 1483, AB 1578, AB 1579, SB 191, SB 223, SB 228, SB 229, SB 354, SB 757, SB 899, SB 1007, and SB 1071).

Sincerely,

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

August 27, 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 Assemblymembers Patty Berg and Rudy Bermudez to replace Assemblymembers Carol Liu and Fran Pavley on the Assembly Education Committee for today's hearing only.

Sincerely,

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

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

Explanation of Vote—Assembly Bill No. 458

August 25, 2003

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

Dear Chief Clerk: On August 21st when AB 458 came before the Floor for Concurrence, I mistakenly voted “aye”. I regret the error and emphasize that my earlier “no” vote from May 8th represents my feelings.

While I believe that people should be equipped to communicate with their children, AB 458 is a mandate void of respect for diverse religious faiths.

Sincerely,

TODD SPITZER, Assembly Member
Seventy-first District

SPECIAL COMMITTEE MEETINGS

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

Judiciary, on August 28, 2003, off the Floor during Session, in the Tom Bane Rules Committee Room;

Natural Resources, on Thursday, August 28, 2003, upon adjournment of Floor Session;

Higher Education to hold interim hearings on Tuesday, September 23, 2003, October 21, 2003, and November 18, 2003, at 1:30 p.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 27, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 124
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, August 27, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1011
Assembly Bill No. 1363
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, August 27, 2003

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Concurrent Resolution No. 123
Assembly Concurrent Resolution No. 125
Assembly Concurrent Resolution No. 135
And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions re-referred to committee.

REQUEST TO SUSPEND JOINT RULES

The following request was received, and read:

Assembly Chamber, August 27, 2003

Mr. Speaker: I request permission to suspend Joint Rule 61(a)(11) as it relates to Assembly Concurrent Resolution No. 123.

JEROME HORTON

Above request ordered transmitted to the Committee on Rules.

REFERENCE OF BILLS TO COMMITTEE

Pursuant to the Assembly Rules, the following bills were referred to committee:

<i>Assembly Bill No.</i>	<i>Committee</i>
1784 -----	E.,R. & C.A.
1785 -----	E.,R. & C.A.

AUTHOR'S AMENDMENTS

Committee on Elections, Redistricting and Constitutional Amendments

August 27, 2003

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

Assembly Bill No. 1784

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

LONGVILLE, Chair

ASSEMBLY BILL NO. 1784—An act to amend Section 87102 and to add Section 87102.7 to the Government Code, relating to the Political Reform Act of 1974, 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 Budget

August 27, 2003

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

Senate Bill No. 98

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

OROPEZA, Chair

SENATE BILL NO. 98—An act relating to the payment of judgments and settlement claims against the state, making an appropriation therefor, 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 Elections, Redistricting and Constitutional Amendments

August 27, 2003

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

Assembly Bill No. 1785

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

LONGVILLE, Chair

ASSEMBLY BILL NO. 1785—An act to amend Section 86205 of the Government Code, relating to the Political Reform Act of 1974, 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.

REPORTS OF STANDING COMMITTEES

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

Date of Hearing: August 27, 2003

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

Assembly Joint Resolution No. 46

With the recommendation: Be adopted.

COHN, Chair

Above resolution ordered to third reading.

Committee on Education

Date of Hearing: August 27, 2003

Mr. Speaker: Your Committee on Education reports:

Assembly Concurrent Resolution No. 137

With the recommendation: Be adopted.

GOLDBERG, Chair

Above resolution ordered to third reading.

Date of Hearing: August 27, 2003

Mr. Speaker: Your Committee on Education reports:

Senate Concurrent Resolution No. 41

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

GOLDBERG, Chair

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: August 27, 2003

Mr. Speaker: Your Committee on Education reports:

Senate Concurrent Resolution No. 40

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

GOLDBERG, Chair

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, August 27, 2003

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

Assembly Bill No. 1715

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

Above bill ordered enrolled.

**CONSIDERATION OF DAILY FILE
SENATE BILLS RETURNED TO SECOND READING FILE
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bills Nos. 478, 545, and 969, ordered to third reading;

Senate Bill No. 338, ordered to the Consent Calendar.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, August 27, 2003

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

Assembly Bill No. 1715

And reports the same correctly enrolled, and presented to the Governor on the 27th day of August, 2003, at 2:45 p.m.

E. DOTSON WILSON, Chief Clerk

ADJOURNMENT

At 3:35 p.m., the Assembly adjourned until 8:30 a.m., Thursday, August 28, 2003.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON AUGUST 27, 2003**

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

AB	RN
1784	0318430
1785	0318575

SB	RN
98	0316812

Daily Total:	3
Cumulative Total:	2634

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