

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 3, 2001

THIRD SESSION DAY

THIRTY-FIRST CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 3, 2001

The Assembly met at 12 noon.

Hon. Robert M. Hertzberg, Speaker of the Assembly, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The roll was called, and the following answered to their names—77:

Aanestad	Diaz	Liu	Salinas
Alquist	Dickerson	Longville	Shelley
Aroner	Dutra	Lowenthal	Simitian
Ashburn	Firebaugh	Maddox	Steinberg
Bates	Florez	Maldonado	Strickland
Briggs	Frommer	Matthews	Strom-Martin
Calderon	Goldberg	Migden	Thomson
Campbell, Bill	Harman	Mountjoy	Vargas
Canciamilla	Havice	Nakano	Washington
Cardenas	Hollingsworth	Nation	Wayne
Cardoza	Horton	Negrete McLeod	Wesson
Cedillo	Jackson	Oropeza	Wiggins
Chan	Keeley	Pacheco, Rod	Wright
Chavez	Kehoe	Papan	Wyland
Cogdill	Kelley	Pavley	Wyman
Cohn	Koretz	Pescetti	Zettel
Corbett	La Suer	Reyes	Mr. Speaker
Correa	Leach	Richman	
Cox	Leonard	Romero	
Daucher	Leslie	Runner	

QUORUM PRESENT

At 12:10 p.m., Speaker Hertzberg declared a quorum of the Assembly present.

PRAYER

Upon invitation of Speaker Hertzberg, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

Great Shepherd of Our Souls and Bodies, From age to age, You have led Your people in the paths of righteousness and truth for Your Own Name's sake. Throughout the years of our lives, You have guided us faithfully into green pastures and beside still waters. You have restored our souls. Even in the valley of the shadow of death, You are with us there, to find us, to rescue us, and to restore us to Your flock once more. Will You grant us also, O Good Shepherd of Lives, in the year and the millennium that lie ahead, that Your sheep throughout this beautiful state, this country and the whole world may hear Your voice and follow You, so that as one flock under One Shepherd, we may glorify You in all that we do.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Hertzberg, Assembly Member Vargas 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 Wayne, seconded by Assembly Member Bill Campbell.

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 Robert Pacheco.

Due to a flight cancellation: Assembly Member John Campbell.

EXPLANATIONS OF ABSENCE

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

December 22, 2000

The Honorable Robert M. Hertzberg, Speaker

California State Assembly

State Capitol, Room #219

Sacramento, California

Dear Speaker Hertzberg: I respectfully request that I be excused from Assembly Session for the week of January 1, 2001. I have legislative business in my district that requires my attendance and will unfortunately prevent me from attending 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,

ROBERT PACHECO, Assembly Member
Sixtieth District

COMMUNICATIONS

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

January 3, 2001

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

Dear Mr. Wilson: I am pleased to inform you that Assemblymember Bill Leonard is hereby appointed as Vice Chairman of Rules in the Regular Session.

If you have any questions, please feel free to contact either myself or Richard Costigan III, my Chief of Staff at 319-2071.

Sincerely,

BILL CAMPBELL
Assembly Republican Leader

At 12:15 p.m., Speaker pro Tempore Fred Keeley, 27th District, presiding

SPECIAL COMMITTEE MEETINGS

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

Joint Committee to Develop a Master Plan for Education—Kindergarten through University, on February 14, 2001;

Utilities and Commerce, on Tuesday, January 16, 2001, at 1:30 p.m., in Room 4202.

ADJOURN IN MEMORY

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Alan Cranston, former United States Senator, from Los Altos.

(Assembly Rule 45.5 suspended.)

Assembly Members Wesson and Papan were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of former Assembly Member and Congressman Julian C. Dixon, of Los Angeles.

(Assembly Rule 45.5 suspended.)

Assembly Members Wyman and Runner were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roy J. Simi, of Lancaster.

(Assembly Rule 45.5 suspended.)

FIRST READING OF ASSEMBLY BILLS

The following bills were read the first time:

(NOTE: These bills were introduced in the Assembly during the Organizational Recess of the 2001–02 Regular Session.)

ASSEMBLY BILL NO. 63—Cedillo. An act to add and repeal Section 19551.1 of the Revenue and Taxation Code, relating to taxation.

ASSEMBLY BILL NO. 64—Alquist. An act to amend Section 17072 of, and to add Section 17205 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 65—Strom-Martin. An act to amend Section 60601 of the Education Code, relating to pupil assessment.

ASSEMBLY BILL NO. 66—Wesson. An act relating to the California Gambling Control Commission, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 67—Firebaugh. An act to amend Sections 14100 and 35400 of, and to add Sections 12804.10 and 12804.15 to, the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 68—Migden. An act to amend Sections 1569.725 and 100445 of, and to add Chapter 8.3 (commencing with Section 1743) to Division 2 of, the Health and Safety Code, and to amend Section 9016 of, and to add Section 14105.13 to, the Welfare and Institutions Code, relating to health care.

ASSEMBLY BILL NO. 69—Wright. An act to amend Section 12078 of the Government Code, relating to environmental quality.

ASSEMBLY BILL NO. 70—Wright. An act to add Article 5.7 (commencing with Section 8590) to Chapter 7 of Division 1 of Title 2 of the Government Code, relating to fire safety, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

ASSEMBLY BILL NO. 71—Wright. An act to amend Sections 463 and 1003 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 72—Bates. An act to amend Section 1431 and 1444.5 of the Code of Civil Procedure, relating to housing, and making an appropriation therefor.

ASSEMBLY BILL NO. 73—Washington. An act to add Section 1465.8 to the Penal Code, and to amend Sections 12808 and 14602.6 of the Vehicle Code, relating to fines.

ASSEMBLY BILL NO. 74—Washington. An act to amend Section 1382 of the Penal Code, relating to criminal procedure.

CAUCUS ANNOUNCEMENTS

At 12:25 p.m., by unanimous consent, the Democratic Caucus was permitted to meet in the Assembly Lounge, and the Republican Caucus was permitted to meet in the Tom Bane Rules Committee Room.

RECESS

By unanimous consent, at 12:25 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 12:44 p.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

RECESS

By unanimous consent, at 12:45 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 1:03 p.m., the Assembly reconvened.

Hon. Fred Keeley, Speaker pro Tempore of the Assembly, presiding.

COMMUNICATIONS

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

Leave of Absence—Balance of the Day

January 3, 2001

The Honorable Robert M. Hertzberg

Speaker of the Assembly

California State Assembly

State Capitol

Sacramento, California

Dear Mr. Speaker: This letter respectfully requests that I be excused early from session on Wednesday January 3, 2001. I will be conducting official business in my district due to the devastating fires currently raging in East San Diego County.

Thank you for your assistance.

Sincerely,

CHARLENE ZETTEL, Assembly Member
Seventh-fifth District

ANNOUNCEMENTS

Speaker pro Tempore Keeley announced that the Assembly would convene in Joint Convention with the Senate on Monday, January 8, 2001 at 4:15 p.m. for the Governor's State of the State Address.

Speaker pro Tempore Keeley announced the following session schedule:

Thursday, January 4, 2001, Check-in Session, 7 a.m.—3 p.m.;

Tuesday, January 9, 2001, Check-in Session, 7 a.m.—3 p.m.;

Wednesday, January 10, 2001, Check-in Session, 7 a.m.—3 p.m.

ADJOURN IN MEMORY

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 Arthur Raymond "Bud" Scheele, of San Clemente; and John H. "Jack" Smith, of Laguna Niguel.

Assembly Members Bill Campbell and Maddox were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Thomas P. Morrissey Jr., of Buena Park.

Assembly Member Firebaugh was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Jaimes, of South Gate; and Beatriz Ordoñez Sanchez, of Whittier.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Phyllis Schlessinger, of Los Angeles.

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Carolyn Anagnos, of Los Angeles; and Vivian Weinstein, of Los Angeles.

Assembly Member Leslie was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Willard “Will” Linton, of Rocklin; and Felton “Mac” Mailes, of Sacramento.

Assembly Member Nakano was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Peggy Ross Lancaster, of Torrance.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Steve Rafter, of Westlake; and Peggy Denny, of Camarillo.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Robert E. Herkert, of Colusa; Ray Krone, of Woodland; Frederick Pressly, of Benicia; Sonya Schwab, of Davis; Linda Sue O’Kane, of Davis; Shirley Faye Rominger, of Winters; Kathleen “Kay” Bryan, of Etna; and George Kagiwada, of Davis.

Assembly Member Wayne was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mildred Frances Jennings, of Long Beach.

Assembly Member Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clifton “Butch” Hilliard, of Los Angeles.

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles F.C. Ruff, of Washington, D.C.

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bill was introduced and read the first time:

ASSEMBLY BILL NO. 75—Steinberg. An act to add Article 14 (commencing with Section 44406) to Chapter 2 of Part 25 of the Education Code, relating to schoolsite administrators.

CAUCUS ANNOUNCEMENTS

Assembly Member Aroner announced that the Democratic Caucus would meet today, upon adjournment of Floor session, in the Assembly Lounge.

Assembly Member Bill Campbell announced that the Republican Caucus would meet today, upon adjournment of Floor session, off site.

MOTION TO ADJOURN

At 1:04 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Shelley seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 1:04 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Thursday, January 4, 2001, out of respect to the memory of Arthur Raymond “Bud” Scheele and John H. “Jack” Smith, on motion of Assembly Member Bates; out of respect to the memory of Thomas P. Morrissey Jr., on motion of Assembly Members Bill Campbell and Maddox; out of respect to the memory of Mark Jaimes and Beatriz Ordoñez Sanchez, on motion of Assembly Member Firebaugh; out of respect to the memory of Phyllis Schlessinger, on motion of Assembly Member Frommer; out of respect to the memory of Carolyn Anagnos and Vivian Weinstein, on motion of Assembly Member Goldberg; out of respect to the memory of Willard “Will” Linton and Felton “Mac” Mailes, on motion of Assembly Member Leslie; out of respect to the memory of Peggy Ross Lancaster, on motion of Assembly Member Nakano; out of respect to the memory of Hon. Alan Cranston, on motion of Assembly Member Simitian; out of respect to the memory of Steve Rafter and Peggy Denny, on motion of Assembly Member Strickland; out of respect to the memory of Robert E. Herkert, Ray Krone, Frederick Pressly, Sonya Schwab, Linda Sue O’Kane, Shirley Faye Rominger, Kathleen “Kay” Bryan, and George Kajiwada, on motion of Assembly Member Thomson; out of respect to the memory of Mildred Frances Jennings, on motion of Assembly Member Wayne; out of respect to the memory of Clifton “Butch” Hilliard, on motion of Assembly Member Wesson; out of respect to the memory of Charles F.C. Ruff, on motion of Assembly Member Wright; and Congressman Julian C. Dixon, on motion of Assembly Members Wesson and Papan.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

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