

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, January 16, 2001

NINTH SESSION DAY

FORTY-FOURTH CALENDAR DAY

AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Tuesday, January 16, 2001

The Assembly met at 11 a.m.
Hon. Fred Keeley, 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 Pescetti moved a quorum call of the Assembly.
Motion carried. Time, 11:24 a.m.

The Speaker pro Tempore directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

At 11:49 a.m., Speaker Robert M. Hertzberg, 40th District, presiding

Quorum Present

At 11:50 a.m., Speaker Hertzberg declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—79:

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

PRAYER

Upon invitation of Speaker Hertzberg, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

It seems to be a favorite pastime of many Americans to poke fun at politics and politicians. However, when we do that, we only mock ourselves. For as William Penn said: "Governments, like clocks, go from the motion that men give them."

We *are* the government. If the government is running well, it is because of the effort that we put into it. If it is not working well, then we must also take the blame. Those who are elected into office, those who work for the state, as well as those of us who serve simply as citizens, *we* are the ones who create the motion that makes this government run.

May it be the will of the Creator to grant us the ability to run our government with prudence, pride and responsibility. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker Hertzberg, Assembly Member Cardenas 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 Shelley, seconded by Assembly Member Leonard.

COMMUNICATIONS

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

January 16, 2001

*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 Helen Thomson to replace Assemblymember Elaine Alquist on the Joint Legislative Sunset Review Committee.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 106—Cedillo (Principal coauthor: Senator Ortiz). An act to amend Sections 17039, 19340, and 19341 of, and to add Section 17052.1 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 107—Nation. An act to amend Sections 514, 518, 519, 520, 522, 523, and 526 of the Harbors and Navigation Code, relating to vessels.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 5—Florez and Briggs (Coauthors: Cardoza, Matthews, and Thomson). Relative to the Public Utilities Commission.

SPECIAL COMMITTEE MEETINGS

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

Banking and Finance, on February 21, 2001, at 10 a.m., in Room 447;
Human Services, on February 9, 2001, at the Alameda County Council Chambers, Oakland;

Local Government, on January 31, 2001, at 1:30 p.m., in Room 437;
and

Water, Parks and Wildlife, on January 23, 2001.

ADJOURN IN HONOR

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of his granddaughter Annalee Gunderson, born on January 17, 2001.

ADJOURN IN MEMORY

Assembly Member Wyman was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Leo Nowak, of Ridgecrest.

(Assembly Rule 45.5 suspended.)

Assembly Member Cohn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lancy Chiu, Nicola Rooke, Elanor Patrick, and Jeffery Swanberg, of Saratoga.

(Assembly Rule 45.5 suspended.)

Moment of Silence

Assembly Members Romero, Cardenas, and Cedillo were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bert Corona, of Los Angeles, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

Assembly Member Cardoza was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Chrissie Woolcock Collins, of Turlock.

Assembly Member Aroner was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Charles H. Cruttenden, of Sacramento.

Assembly Member Briggs was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Keith Agee, of Fresno.

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 Florence Brown, of Burbank.

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 William R. Hewlett, of Palo Alto.

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 Sam Wangsaporn, of Temple City and Lorraine Toucher, of Oxnard.

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 Essie F. Daulton, of Santa Rosa; Willard B. Houk, Sr., of Davis; and Robert J. O'Malley, of Davis.

Assembly Member Chan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Oakland Police Officer William Wilkins, of Hayward.

RECESS

By unanimous consent, at 11:54 a.m., Speaker Hertzberg declared the Assembly recessed.

RECONVENED

At 9:27 p.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

MOTION TO ADJOURN

At 9:27 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Migden seconded the motion.

Motion carried.

ADJOURNMENT

At 9:27 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until Thursday, January 18, 2001, or upon Call of the Speaker, out of respect to the memory of Leo Nowak, on motion of Assembly Member Wyman; out of respect to the memory of Lancy Chiu, Nicola Rooke, Elanor Patrick, and Jeffery Swanberg, on motion of Assembly Member Cohn; out of respect to the memory of Bert Corona, on motion of Assembly Members Romero, Cardenas, and Cedillo; out of respect to the memory of Chrissie Woolcock Collins, on motion of Assembly Member Cardoza; out of respect to the memory of Charles H. Cruttenden, on motion of Assembly Member Aroner; out of respect to the memory of Keith Agee, on motion of Assembly Member Briggs; out of respect to the memory of Florence Brown, on motion of Assembly Member Frommer; out of respect to the memory of William R. Hewlett, on motion of Assembly Member Simitian; out of respect to the memory of Sam Wangsaporn and Lorraine Toucher, on motion of Assembly Member Strickland; out of respect to the memory of Essie F. Daulton, Willard B. Houk, Sr., and Robert J. O'Malley, on motion of Assembly Member Thomson; out of respect to the memory of Officer William Wilkins, on motion of Assembly Member Chan; and in honor of the birth of Annalee Gunderson, on motion of Assembly Member Cox.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk