

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, January 29, 2001**  
**FIFTEENTH SESSION DAY**  
**FIFTY-SEVENTH CALENDAR DAY**  
**AT SACRAMENTO, CALIFORNIA**



## PROCEEDINGS OF THE ASSEMBLY

### IN ASSEMBLY

Assembly Chamber, Sacramento  
Monday, January 29, 2001

The Assembly met at 11 a.m.

Hon. Christine Kehoe, Assistant 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 Leonard moved a quorum call of the Assembly. Motion carried. Time, 11:01 a.m.

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

#### Quorum Present

At 11:07 a.m., Assistant Speaker pro Tempore Kehoe declared a quorum of the Assembly present.

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

Aanestad	Dickerson	Longville	Salinas
Alquist	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	
Daucher	Leslie	Romero	
Diaz	Liu	Runner	

**PRAYER**

Upon invitation of Assistant Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

The Greek philosopher, Epictetus, a man born into slavery, and who earned his freedom by earning the respect of his master, taught that “Difficulties are things that show what people are.”

We are defined as much by how we meet life’s challenges as by life’s opportunities. It is when the hard work needs to be done that our true values are illuminated and our character is laid bare.

For some, difficulties represent a personal crisis where a gap exists between how we perceive ourselves and how we truly are. And for others, it is a moment of affirmation, where our character is allowed to express itself in all its strength and glory.

May the Holy One of Blessing enable us to meet even our most difficult tasks with grace and with sincerity, and may we always be judged with favor and compassion. May this be God’s will.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Alquist 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 Leonard, seconded by Assembly Member Chan.

**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 Ashburn.*

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

**EXPLANATIONS OF ABSENCE**

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

January 23, 2001

*The Honorable Robert Hertzberg  
California State Assembly Speaker  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I respectfully request that I be excused from floor session on Monday, January 29, 2001. I will be out of the area on legislative business.

Thank you for your immediate attention to this request. If you have any questions, please feel free to contact me at: 319-2032.

Best Regards,

ROY ASHBURN, Assembly Member  
Thirty-second District

**COMMUNICATIONS****Proposed Initiatives**

The following communication was presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

**Student Eye Examination. Public School Expulsion.  
Initiative Statute.**

Referred by the Speaker to the Committee on Education.

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The following communications were presented by the Chief Clerk from:

Linda Moulton-Patterson, Chair, California Integrated Waste Management Board, regarding the delay in submitting its report on the Farm and Ranch Solid Waste Cleanup and Abatement Program to the Legislature.

Referred by the Speaker to the Committee on Natural Resources.

Chris Janzen, Director, Department of Justice, regarding the delay in submitting its report on Asset Forfeiture to the Legislature.

Referred by the Speaker to the Committee on Public Safety.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, January 29, 2001

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

Assembly Concurrent Resolution No. 13

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

Assembly Chamber, January 29, 2001

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

Assembly Concurrent Resolution No. 11

And reports the same correctly enrolled, and presented to the Secretary of State on the 29th day of January, 2001, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 147—Longville.** An act to add Section 15164.1 to the Government Code, relating to law enforcement.

**ASSEMBLY BILL NO. 148—Zettel.** An act to add Chapter 8.4 (commencing with Section 52248) to Part 28 of the Education Code, relating to education technology, and making an appropriation therefor.

**ASSEMBLY BILL NO. 149—Zettel.** An act to amend Section 17052.2 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 150—Reyes.** An act relating to Internet access.

**ASSEMBLY BILL NO. 151—Reyes.** An act to add Section 18034 to the Education Code, relating to public libraries.

**ASSEMBLY BILL NO. 152—Calderon (Coauthors: Chavez and Daucher) (Coauthor: Senator Margett).** An act to add Section 401.1 to the San Gabriel Basin Water Quality Authority Act (Chapter 776 of the Statutes of 1992), relating to the San Gabriel Basin Water Quality Authority, and declaring the urgency thereof, to take effect immediately.

### RESOLUTIONS

The following resolution was offered:

**HOUSE RESOLUTION NO. 6—Leonard.** Relative to Assembly Rules 61.5, 61.6, and 61.7.

### REQUEST FOR PHOTOGRAPHER

Assembly Members Hertzberg, Cardoza, and Washington were granted unanimous consent that photographers be permitted on the Floor of the Assembly.

### RECESS

By unanimous consent, at 11:20 a.m., Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Speaker Hertzberg and Assembly Member Cardoza addressed the Body expressing gratitude to the members of the Sacramento Fire Department and Sacramento Area Firefighters Local 522 for their quick response and courageousness in extinguishing the fire at the State Capitol building on January 16, 2001. A brief video was viewed by the Members, whereupon Speaker Hertzberg presented resolutions to Dan Terry, President, California Professional Firefighters; Ms. Micki Anacleto, Fire Captain, Sacramento Station One; Jim Luttrell, Fire Captain, Sacramento Station Two; and Fred Berringer, Fire Captain, Sacramento Station Five. Assembly Members Steinberg, Bill Campbell, and Dickerson also expressed thanks to the firefighters.

### RECONVENED

At 11:29 a.m., the Assembly reconvened.

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

### CONSIDERATION OF DAILY FILE

#### THIRD READING OF ASSEMBLY BILLS

**ASSEMBLY CONCURRENT RESOLUTION NO. 13 (Washington)**—Relative to emergency services.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 13**

Assembly Member Washington was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 13.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Washington was granted unanimous consent to take up Assembly Concurrent Resolution No. 13, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 13, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 13**—Relative to emergency services.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**APPRECIATION EXPRESSED TO SERGEANT-AT-ARMS**

Assembly Member Cardoza was jointed by the Members in expressing special appreciation to Chief Sergeant-at-Arms Ronald E. Pane and his staff for their immediate and professional action in ensuring safety and security to Capitol employees during the recent fire at the State Capitol.

**CAUCUS ANNOUNCEMENTS**

At 11:40 a.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 11:40 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

**RECONVENED**

At 2:28 p.m., the Assembly reconvened.

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

**RECESS**

By unanimous consent, at 2:29 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 2:31 p.m., the Assembly reconvened.

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

**ADJOURN IN MEMORY**

Assembly Member Strom-Martin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of James “Jim” L. Gupton, of Eureka.

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 Lori Lopez, of Davis and Helen Lowrey, of Woodland.

**MOTION TO ADJOURN**

At 2:31 p.m., Assembly Member Cox moved that the Assembly do now adjourn.

Assembly Member Cohn seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 2:32 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 Cox, the Assembly adjourned to reconvene upon Call of the Speaker, out of respect to the memory of James “Jim” L. Gupton, on motion of Assembly Member Strom-Martin; and out of respect to the memory of Lori Lopez and Helen Lowrey, on motion of Assembly Member Thomson.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk