

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, January 31, 2001
SIXTEENTH SESSION DAY
FIFTY-NINTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, January 31, 2001

The Assembly met at 2 p.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 Cohn moved a quorum call of the Assembly.

Motion carried. Time, 2:01 p.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 2:18 p.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—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 Assistant Speaker pro Tempore Kehoe, the following prayer was offered by Assembly Member Carl Washington, of the 52nd Assembly District:

Let us pray,

Eternal God, We thank You for this day. We thank You for this hour. We thank You for the opportunity to come together once again. We pray now Your blessings upon this Legislature, upon this Assembly body as we begin to do the people's business. Bless all of us for the purpose for which we are gathered.

In Christ's name—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Assistant Speaker pro Tempore Kehoe, Assembly Member Chan 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.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 153—Nakano and Koretz. An act to amend Section 6025 of the Penal Code, relating to the Board of Corrections.

ASSEMBLY BILL NO. 154—Runner. An act to add Section 132.1 to the Penal Code, relating to crimes.

ASSEMBLY BILL NO. 155—Lowenthal. An act to amend Section 13500 of the Penal Code, relating to the Commission on Peace Officer Standards and Training.

ASSEMBLY BILL NO. 156—Matthews. An act to amend Section 1626 of the Business and Professions Code, relating to dentistry.

ASSEMBLY BILL NO. 157—Strickland. An act to amend Sections 19412 and 19601 of, and to add Section 19610.8 to, the Business and Professions Code, relating to horse racing, and making an appropriation therefor.

ASSEMBLY BILL NO. 158—Robert Pacheco. An act to amend Sections 6406, 22354, and 22456 of the Business and Professions Code, relating to vocational registration.

ASSEMBLY BILL NO. 159—Harman. An act to amend Section 1050 of the Fish and Game Code, relating to sport fishing licenses.

ASSEMBLY BILL NO. 160—Bates and Cohn. An act to amend Section 136.2 of the Penal Code, relating to victim and witness intimidation.

ASSEMBLY BILL NO. 161—Maddox. An act to amend Sections 122045 and 122065 of, and to add Section 122065.5 to, the Health and Safety Code, relating to pets.

ASSEMBLY BILL NO. 162—Daucher. An act to add Section 41514.9 to the Health and Safety Code, relating to energy.

ASSEMBLY BILL NO. 163—Florez. An act to add Article 3 (commencing with Section 49430) to Chapter 9 of Part 27 of the Education Code, relating to school nurses, and making an appropriation therefor.

ASSEMBLY BILL NO. 164—Harman. An act to amend Section 56502 of the Education Code, relating to special education.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 14—Migden and Daucher.
Relative to Girls and Women in Sports Day.

ASSEMBLY CONCURRENT RESOLUTION NO. 15—Wright (Principal coauthors: Wesson, Washington, Horton, and Hertzberg) (Principal coauthors: Senators Murray, Vincent, and Burton). Relative to Black History Month.

COMMUNICATIONS

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

January 25, 2001

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

RE: Appointment of Raquelle de la Rocha and Paula Petrotta to the Domestic Violence Program Advisory Council

Dear Mr. Wilson: Please be advised I have appointed Ms. Raquelle de la Rocha and Ms. Paula Petrotta to the Domestic Violence Program Advisory Council. These are pleasure appointments starting January 25, 2001.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 26, 2001

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

RE: Appointment of Dario Frommer to California Film Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Dario Frommer to the California Film Commission. This is a term appointment starting January 26, 2001 and the expiration date is January 26, 2005. Assemblymember Frommer will be replacing Assemblymember Sheila Kuehl.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 26, 2001

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

RE: Appointment of Albert Vera
to Baldwin Hills Conservancy Governing Board

Dear Mr. Wilson: Please be advised I have appointed Mr. Albert Vera to the Baldwin Hills Conservancy Governing Board. This is a term appointment starting January 26, 2001 and the expiration date is January 26, 2003.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 26, 2001

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

RE: Appointment of Kambiz Babaoff
to California Health Facilities Financing Authority

Dear Mr. Wilson: Please be advised I have appointed Mr. Kambiz Babaoff to the California Health Facilities Financing Authority. This is a term appointment starting January 26, 2001 and the expiration date is March 31, 2002. Mr. Babaoff is replacing Mr. Carl Blomquist.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 26, 2001

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

RE: Appointment of Juan Vargas and Charlene Zettel
to the Commission of the Californias

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Juan Vargas and Assemblymember Charlene Zettel to the Commission of the Californias. These are pleasure term appointments starting January 26, 2001 and will expire on January 26, 2005. Assemblymember Vargas will be replacing Assemblymember Mike Honda and Assemblymember Zettel will be replacing Assemblymember Denise Ducheny.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 30, 2001

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

RE: Appointment of Fran Pavley
to Curriculum Development
and Supplemental Materials Commission

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Fran Pavley to the Curriculum Development and Supplemental Materials Commission. This is a pleasure appointment starting January 30, 2001. Assemblymember Pavley will be replacing Assemblymember Jack Scott.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 30, 2001

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

RE: Appointment of Christine Kehoe
to State Coastal Conservancy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Christine Kehoe to the State Coastal Conservancy. This is a pleasure appointment starting January 30, 2001. Assemblymember Kehoe will be replacing Assemblymember Sheila Kuehl.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 30, 2001

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

RE: Appointment of Paul Koretz
to California Council on Criminal Justice

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Paul Koretz to the California Council on Criminal Justice. This is a pleasure appointment starting January 30, 2001. Assemblymember Koretz will be replacing Assemblymember Mike Honda.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly

January 31, 2001

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

RE: Appointment of Pedro Reyes as Alternate

Dear Mr. Wilson: Please be advised I have named Mr. Pedro Reyes to serve as the alternate for my designee, Ms. Diane Griffiths, on the California Earthquake Insurance Authority Governing Board and Advisory Panel. This is a pleasure appointment starting immediately.

Very truly yours,

ROBERT M. HERTZBERG
Speaker of the Assembly
January 30, 2001

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

Dear Mr. Wilson: Please be advised that on January 29, 2001, the Assembly Rules Committee approved the following item:

Assembly Standing Committee Jurisdictions for the
2001–2002 Legislative Session (8–0).

Sincerely,

DENNIS CARDOZA
Chairman, Assembly Rules Committee

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

**ASSEMBLY
STANDING COMMITTEE JURISDICTIONS**

Aging and Long Term Care
Agriculture
Appropriations
Banking and Finance
Budget
Business and Professions
Education
Elections, Reapportionment and Constitutional Amendments
Environmental Safety and Toxic Materials
Governmental Organization
Health
Higher Education
Housing and Community Development
Human Services
Insurance
Jobs, Economic Development and the Economy
Judiciary
Labor and Employment
Local Government
Natural Resources

Public Employees, Retirement and Social Security
Public Safety
Revenue and Taxation
Rules
Transportation
Utilities and Commerce
Water, Parks and Wildlife

AGING AND LONG TERM CARE

Area Agencies on Aging
Department of Aging
Long term care services
Older Americans Act
Older Californians Act
Senior citizens advocacy activities
Senior Legislature
Services for seniors in residential and day settings
State Commission on Aging

AGRICULTURE

Agriculture
Agricultural chemicals
Agricultural commodities and commissions
Department of Food and Agriculture
Department of Pesticide Regulation
Economic poisons
Expositions and fairs
Food labeling
Labeling of agricultural commodities
Livestock and poultry
Marketing law
Milk and milk products
Pest management and pesticides
Veterinarians, agricultural issues

APPROPRIATIONS

Fiscal bills
General obligation bond acts
Revenue bonds

BANKING AND FINANCE

California Pollution Control Financing Authority
Charitable and cooperative corporation law
Consumer finance and credit reporting
Corporate securities law
Financial institutions
Foreign banking
Foreign investments in California financial institutions
Formation of new corporate entities
Franchises, except for arbitration of disputes between
franchisor/franchisee
Industrial development bonds
Insurance finance and lending practices

Real property finance
State investment practices

BUDGET

Budget bill
Deficiency bills
State mandated claims bills
Current fiscal year appropriations for new projects
Budget trailer bills which are not referred to a policy committee
Bills which establish state budget policy and procedures
Judgement and settlement bills

BUSINESS AND PROFESSIONS

Administrative Procedure Act and Office of Administrative Law
Charitable solicitation
Consumer protection
Creation of new regulatory agencies
Department of General Services
Governmental efficiency and cost control
Occupational licensing, excluding health professionals
Product labeling, except agricultural and medical
Property acquisition, state and local
Property acquisition law
State governmental organization and reorganization
State printing and binding contracts
State procurement
Sunsetting of boards and commissions
Weights and measures
Vocational education
Veterinarians, licensing issues

EDUCATION

Adult education
Certificated employees of schools and teacher salaries
Charter schools
Leasing of school property
K-12 education
Pupil records
School buses and crossing guards
School facilities and finance

ELECTIONS, REAPPORTIONMENT AND CONSTITUTIONAL AMENDMENTS

California Political Reform Act
Campaign finance
Constitutional amendments
Elections
Reapportionment

ENVIRONMENTAL SAFETY AND TOXIC MATERIALS

Department of Pesticide Regulation
Drinking water regulation, toxic contamination of water
Emergency response relating to hazardous materials
Hazardous waste regulation and remediation
Pesticides: processed food and public health

Proposition 65
Regulation of consumer products containing toxic substances
under the Sherman Food, Drug and Cosmetics Law
Toxic air contaminants and indoor air quality
Toxic substances and hazardous materials, except for
workplace safety
Underground storage tank regulation and cleanup

GOVERNMENTAL ORGANIZATION

Alcoholic Beverage Control
Athletics, State Athletic Commission
Cal-Vet loan program
Department of Veterans Affairs
Emergency services, excluding medical emergencies
Fire safety, excluding residential building standards
Gaming
Horse racing
National Guard
Natural disasters
Offices of the Governor, Lieutenant Governor, State Controller,
and State Treasurer
Open meetings laws as they affect state government
Public records and Public Records Act
State Fire Marshal
State holidays, seals, and official acts
State Lottery
State military
Tobacco products
Veterans

HEALTH

Alcohol and drug abuse treatment
Developmental disabilities
Health care
Licensing of health care professionals and facilities
Mental health, except mentally disordered offenders
Prescriptions
Public health programs

HIGHER EDUCATION

Academic research partnerships with the private sector
Community college job training programs
Postsecondary education, financial aid and campuses

HOUSING AND COMMUNITY DEVELOPMENT

Condominium conversions
Discrimination in housing
Housing rehabilitation
Mobile homes
Public finance of housing
Redevelopment
Rent control
Residential building standards

Structural fire safety
Subdivision Map Act re: housing

HUMAN SERVICES

Children's programs and services
Foster care
Licensing and regulation of community & child care facilities
Public assistance (General Assistance, CalWORKs, and SSI/SSP)
Services for developmentally disabled Californians
Services for physically disabled Californians
Department of Social Services programs

INSURANCE

Disability insurance
Insurance
Insurance investment, excluding finance, lending and
lending practices
Unemployment compensation
Vehicle financial responsibility
Workers' compensation

JOB, ECONOMIC DEVELOPMENT AND THE ECONOMY

Business advocacy within California and the United States
Business advocacy of import/export trade
California-Mexico relations
California overseas trade offices
Department of Information Technology
Development and expansion of new technologies, except energy
Development of international high tech markets
Economic disaster relief
Economic impact reports
Effect of balance of trade issues on California
Enterprise Zones
Expansion of overseas markets
Foreign investments by California
Foreign investments in California
Impacts of federal budget on high tech projects
Impacts of federal budget on international trade
Information technology
Industrial innovation and research
International capital, including capital formation
International trade, research and import/export finance
Interstate commerce
Seaports and physical infrastructure
Sister state agreements and friendship agreements with other nations
Small business development and operations
State and local economic development
Tourism
Year 2000 compliance

JUDICIARY

Administration of justice and court personnel
Administrative procedure
Adoptions
Arbitration of disputes between franchisor/franchisee

Civil Code
 Code of Civil Procedure
 Condemnation
 Confidentiality of court records
 Eminent Domain
 Enforcement of judgements
 Evidence Code, excluding criminal procedure
 Family law
 Landlord/tenant relations
 Legal notices
 Liens
 Notary Public
 Probate Code
 Product liability
 Property acquisition (private property acquired by state agency)
 Public administration of estates
 State Bar
 Trade restraints
 Tort liability

LABOR AND EMPLOYMENT

Agricultural Labor Relations Act
 Discrimination in employment
 Employment Development Department
 Unemployment insurance—length of coverage
 Workplace safety regulations and Cal-OSHA

LOCAL GOVERNMENT

Administration of special districts
 Benefit assessments, special taxes and local alternative
 revenue sources
 City and county organization and powers
 Joint exercise of powers
 Local agency formation commissions
 Municipal Improvement Acts of 1911, 1913, etc.
 Ralph M. Brown Act
 Subdivisions
 Uniform accounting and reporting procedures for local agencies

NATURAL RESOURCES

Beverage Container Recycling Act
 California Environmental Quality Act
 Coastal Act, Coastal Commission and Coastal Conservancy
 Coachella Valley Mountains Conservancy
 Department of Conservation programs
 Energy conservation, research, development, and demonstration
 and siting of power plants
 Forestry
 Harbors
 Lake Tahoe Conservancy
 Solid waste management, except hazardous substances
 Stationary source air pollution
 Natural Community Conservation Planning Act (land use planning)
 Oil Spill Prevention and Response Act

San Francisco Bay Conservation and Development Commission
Santa Monica Mountains Conservancy
State lands
Subdivision Map Act re: timber, coastal, agricultural land use
Tidelands and submerged lands
Vessel traffic management systems (VTMS)
Wild and scenic rivers

PUBLIC EMPLOYEES, RETIREMENT & SOCIAL SECURITY

Classified school employees
Judges Retirement Law
Public employee collective bargaining
Public retirement administration and investment strategy

PUBLIC SAFETY

Asset forfeiture
Controlled substances
Crime victims and restitution
Criminal procedure
Driving under the influence
Felony offenses and those misdemeanor violations not incidental
to the subject of another committee
Grand juries
Impoundment of vehicles
Inspection of stolen vehicles
Juvenile law
Peace officers
Penal Code
Qualifications of counsel in criminal matters
Youth authority and prisons—construction and discipline

REVENUE AND TAXATION

All matters relating to taxation

RULES

Business of the Legislature

TRANSPORTATION

California Highway Patrol
Drivers' licenses
Highways and airports
Mass transit systems
Mobile sources of air pollution
School bus safety and maintenance
Seaports and physical infrastructure
Transit authority
Transportation financing
Vehicles, aircraft, and vessels—operation, safety, equipment,
transfer of ownership, licensing and registration
Vehicle weight restrictions

UTILITIES AND COMMERCE

Common carriers
Expansion of overseas markets
International trade, research and import/export finance

Intrastate commerce
 Motion picture industry
 Public Utilities Commission, rate increases regulated by the PUC
 Telecommunications
 Trucking regulated by the PUC
 Women and minority business enterprises (WMBE)

WATER, PARKS AND WILDLIFE

Department of Water Resources
 Drought relief
 Fish and game
 Flood control
 Museums
 Native plants
 Natural Community Conservation Planning Act
 Parks and recreation
 State Historical Resources Commission
 State Water Resources Control Board
 Stream resource management
 Water and water supply planning
 Water rights and water banks
 Wildlife

REPORTS

The following reports were presented by the Chief Clerk:

**An Evaluation of the School Facility Fee Affordable Housing
 Assistance Programs
 (Pursuant to Government Code Section 51454)**

Above transmitted report, together with letter of transmittal from Elizabeth G. Hill, Legislative Analyst, Joint Legislative Budget Committee, dated January 17, 2001, referred by the Speaker to the Committee on Education.

**Recommendations to Improve
 Unified Program Enforcement Consistency
 (Pursuant to Item 0555-001-0044 of the Budget Act of 2000)**

Above transmitted report, together with letter of transmittal from Winston H. Hickox, Agency Secretary, California Environmental Protection Agency, dated January 16, 2001, referred by the Speaker to the Committee on Budget.

**Contracting Report:
 Disabled Veteran Business Enterprise Participation**

Above transmitted report, together with letter of transmittal from William J. Holtz, Manager, Contracts and Publishing, Department of Justice, dated January 12, 2001, referred by the Speaker to the Committee on Governmental Organization.

**Renewable Energy Program:
 Quarterly Report to the Legislature,
 October 2000 through December 2000
 (Pursuant to Public Utilities Code Section 445(g))**

Above transmitted report, together with letter of transmittal from Michal C. Moore, Commissioner and Presiding Member, and Arthur H. Rosenfeld, Commissioner and Associate Member, Electricity and Natural Gas Committee, dated January 15, 2001, referred by the Speaker to the Committee on Utilities and Commerce.

**Alternative Protest Pilot Project Report
(Pursuant to Public Contract Code Section 12129)**

Above transmitted report, together with letter of transmittal from Barry D. Keene, Director, Department of General Services, dated December 22, 2000, referred by the Speaker to the Committee on Business and Professions.

**Final Report:
Core Regulatory Programs' Performance Measures
(Pursuant to the Supplemental Report of the Budget Act of 1999)**

Above transmitted report, together with letter of transmittal from Edward C. Anton, Acting Executive Director, State Water Resources Control Board, dated January 17, 2001, referred by the Speaker to the Committee on Budget.

**Board of Forestry and Fire Protection
Twenty-Sixth Annual Report
(Pursuant to Public Resources Code Section 4515)**

Above transmitted report, together with letter of transmittal from Andrea Tuttle, Director, Department of Forestry and Fire Protection, dated January 12, 2001, referred by the Speaker to the Committee on Natural Resources.

**Disabled Veteran
Business Enterprise Participation Contracting Report
(Pursuant to Public Contract Code Section 10115.5)**

Above transmitted report, together with letter of transmittal from Andrea Tuttle, Director, Department of Forestry and Fire Protection, dated January 10, 2001, referred by the Speaker to the Committee on Governmental Organization.

**Report of Fire Insurance in Force as of December 31, 2000
(Pursuant to Government Code Section 11007)**

Above transmitted report, together with letter of transmittal from Barry D. Keene, Director, Department of General Services, dated January 24, 2001, referred by the Speaker to the Committee on Business and Professions.

**Board of Behavioral Sciences Regarding 805 Reports
(Pursuant to Business and Professions Code Section 806)**

Above transmitted report, together with letter of transmittal from Sherry Mehl, Executive Officer, Board of Behavioral Sciences, Department of Consumer Affairs, dated January 22, 2001, referred by the Speaker to the Committee on Business and Professions.

**Farm Labor Vehicle Report
(Pursuant to Chapter 557 of the Statutes of 1999)**

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated January 24, 2001, referred by the Speaker to the Committee on Transportation.

**Pierce's Disease Control Program:
Report to the Legislature, 2001
(Pursuant to Chapter 21 of the Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Daniel E. Webb, Deputy Secretary, Department of Food and Agriculture, dated January 25, 2001, referred by the Speaker to the Committee on Agriculture.

**Environmental Protection Task Force
Recommendations for the Glassy-winged Sharpshooter
(Pursuant to Chapter 627 of the Statutes of 1999)**

Above transmitted report, together with letter of transmittal from Daniel E. Webb, Deputy Secretary, Department of Food and Agriculture, dated January 25, 2001, referred by the Speaker to the Committee on Agriculture.

**The Disabled Veteran Business Enterprise
for Fiscal Year 1999–2000
(Pursuant to Item 3540-001-001 of the Budget Act of 2000)**

Above transmitted report, together with letter of transmittal from Andrea Tuttle, Director, Department of Forestry and Fire Protection, dated January 11, 2000, referred by the Speaker to the Committee on Budget.

**Fuel Reduction Funds
(Pursuant to Item 3540-001-0928 of the Budget Act of 1999)**

Above transmitted report, together with letter of transmittal from Andrea Tuttle, Director, Department of Forestry and Fire Protection, dated January 12, 2001, referred by the Speaker to the Committee on Budget.

**DNA Profiling Program
(Pursuant to Item 8100-101-0001 of the Budget Act of 2000)**

Above transmitted report, together with letter of transmittal from Frank Grimes, Executive Director, Office of Criminal Justice Planning, dated December 29, 2000, referred by the Speaker to the Committee on Budget.

**Compliance Review Plan for Special Education 2001–01
(Pursuant to the Supplemental Report of the Budget Act of 2000)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated January 19, 2001, referred by the Speaker to the Committee on Budget.

The following letter of transmittal was presented by the Chief Clerk, and ordered printed in the Journal:

California State Auditor

2000-117
January 30, 2001

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the Bureau of State Audits presents its audit report concerning the amount of state-owned real estate (property) in high-cost counties that is surplus and the adequacy of state agencies' management of their property.

This report concludes that the state has many surplus properties in high cost areas; however, the status of many of these properties is questionable. In addition, it can take the Department of General Services (General Services) years to dispose of surplus. Some of these delays occur because state agencies often declare properties surplus years before they are ready to vacate them. Staffing shortages in the unit responsible for selling surplus also contribute to the delays. Similarly, the Department of Transportation (Caltrans) can take years to dispose of its surplus property, in part, because it is not a high priority for Caltrans.

State agencies also continue to lack effective procedures or incentives for evaluating their real property holdings and identifying excess. The State's lack of oversight for property management activities and the lack of effective property inventory systems or reliable reports exacerbate these problems. Finally, General Services has not fulfilled all of its obligations to administer a state program to provide child care facilities in state-owned buildings and does not prepare plans to accommodate the State's office space needs as often as required by its own guidelines.

Respectfully submitted,

ELAINE M. HOWLE
State Auditor

Above report referred to the Committee on Business and Professions.

CAUCUS ANNOUNCEMENTS

At 2:25 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 2:26 p.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

SIXTIETH CALENDAR DAY AT SACRAMENTO, CALIFORNIA

Assembly Chamber, Sacramento
Thursday, February 1, 2001

In Assembly, 12 M.

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

RECONVENED

At 2:47 a.m., the Assembly reconvened.

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

ADJOURN IN MEMORY

Speaker Hertzberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Marion Cerrell, of Los Angeles, who was Executive Assistant to former Speaker Jesse Marvin Unruh.

MOTION TO ADJOURN

At 2:47 a.m., Assembly Member Aroner moved that the Assembly do now adjourn.

Assembly Member Shelley seconded the motion.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 2:47 a.m., Assistant Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

ADJOURNMENT

At 2:47 a.m., pursuant to the motion by Assembly Member Aroner, the Assembly adjourned until 11 a.m., Thursday, February 1, 2001, out of respect to the memory of Marion Cerrell, on motion of Speaker Hertzberg.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk