CALIFORNIA LEGISLATURE 1999–2000 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Friday, February 11, 2000

ONE HUNDRED THIRTY-FIFTH SESSION DAY FOUR HUNDRED THIRTY-SECOND 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento Friday, February 11, 2000

The Assembly met at 8:30 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 Leonard moved a quorum call of the Assembly. Motion carried. Time, 8:31 a.m.

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

Quorum Present

At 8:37 a.m., Speaker pro Tempore Keeley declared a quorum of the Assembly present.

The roll call was completed, and the following answered to their names—62:

Aanestad	Cunneen	Kuehl	Reyes
Ackerman	Dickerson	Leach	Runner
Alquist	Ducheny	Leonard	Scott
Aroner	Dutra	Longville	Steinberg
Ashburn	Firebaugh	Machado	Strickland
Bates	Florez	Maldonado	Strom-Martin
Battin	Frusetta	Margett	Thomson
Bock	Gallegos	Mazzoni	Torlakson
Briggs	Granlund	McClintock	Washington
Campbell	Havice	Nakano	Wayne
Cardenas	Hertzberg	Olberg	Wiggins
Cardoza	Honda	Oller	Wildman
Cedillo	House	Pacheco, Robert	Zettel
Corbett	Jackson	Pacheco, Rod	Mr. Speaker
Correa	Kaloogian	Papan	•
Cox	Keeley	Pescetti	

PRAYER

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

The American poet, John Burroughs, wrote:

The lesson which life repeats and constantly enforces is "look under foot." You are always nearer the divine and the true sources of your power than you think. The lure of the distant and the difficult is deceptive. The great opportunity is where you are. Do not despise your own place and hour. Every place is under the stars, every place is the centre of the world.

It is easy to get distracted and look for life's treasures and rewards as something to be found in the far-off future, in another place, or as somehow unattainable in the here and now.

However this is not true. In every place and every moment there is an opportunity to encounter the sacred.

May the Holy One of Blessing open our eyes so we may see the daily miracles of life, and open our hearts so we can enjoy them. May this be God's will.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Bates 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 Pescetti.

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 Members Baldwin, Brewer, Calderon, Knox, Lempert, Lowenthal, Maddox, Romero, Soto, Thompson, Wesson, and Wright.

On personal business, and waiving per diem: Assembly Members Baugh, Davis, Migden, and Vincent.

Because of illness: Assembly Members Floyd and Shelley.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanations of absence were ordered printed in the Journal:

February 10, 2000

The Honorable Antonio Villaraigosa Speaker of the Assembly State Capitol Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from Session on Friday, February 11, due to legislative business in my district.

Sincerely,

WALLY KNOX, Assembly Member Forty-second District

February 7, 2000

The Honorable Antonio Villaraigosa Speaker, California State Assembly Room 219, State Capitol Sacramento, California

Dear Mr. Speaker: This letter is to inform you and our honorable body that I will be absent from Session for February 11th due to long-scheduled conflicts in my district.

Thank you for your attention.

Sincerely,

TED LEMPERT, Assembly Member Twenty-first District

February 10, 2000

The Honorable Antonio Villaraigosa Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker,

I am writing this letter to respectfully request permission to be excused from floor session on February 11, 2000 in order to conduct legislative business. I will be attending a meeting in Silicon Valley to discuss the housing crisis that is affecting that area and the surrounding communities.

If you have any questions, please feel free to call me at 319-2054. Thank you for your consideration in this matter.

Sincerely,

ALAN LOWENTHAL, Assembly Member Fifty-fourth District

February 7, 2000

The Honorable Antonio Villaraigosa Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker: I am writing to request to be excused from session on Friday, February 11, due to legislative business in my District Office. Thank you for your consideration of this request. Please call me

should you have any questions regarding this matter.

Sincerely,

DR. GLORIA ROMERO, Assembly Member Forty-ninth District

February 7, 2000

The Honorable Antonio R. Villaraigosa Speaker of the Assembly State Capitol—Room 219 Sacramento, California

Dear Mr. Speaker: Please excuse me from session on Friday, February 11, 2000 due to legislative business in my District Office.

If you have any questions please contact Dina Flores in my Capitol office at 319-2066.

Your assistance in this matter is greatly appreciated.

Sincerely,

BRUCE THOMPSON, Assembly Member Sixty-sixth District

February 9, 2000

The Honorable Antonio Villaraigosa Speaker of the Assembly State Capitol, Room 219 Sacramento, California

Dear Mr. Speaker,

I am respectfully requesting to be excused from Assembly Floor Session Friday, February 11, 2000 due to legislative business in my district.

Thank you, for your consideration. If you have any questions concerning my request, please contact my Chief of Staff, Charmette Bonpua, at extension 2047.

Sincerely,

HERB J. WESSON JR., Assembly Member Forty-seventh District

(NOTE: For letters explaining the absences of Assembly Members Baldwin, Brewer, Calderon, Maddox, Soto, and Wright on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for February 10, 2000.)

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, February 11, 2000

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1707

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 11, 2000 Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:

Assembly Concurrent Resolution No. 109

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, February 11, 2000

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined: Assembly Bill No. 1712

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REQUEST FOR PHOTOGRAPHER

Assembly Member Wayne was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ADJOURN IN MEMORY

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Walter Goodin, of Compton.

(Assembly Rule 45.5 suspended.)

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Concurrent

AUTHOR'S AMENDMENTS Committee on Rules

February 11, 2000

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

Assembly Concurrent Resolution No. 120

Assembly Concurrent Resolution No. 121

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

HERTZBERG, Chairman

ASSEMBLY CONCURRENT RESOLUTION NO. 120—Relative to commending the citizens and the City of Benicia for their hospitality, and creating a suitable memorial.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

ASSEMBLY CONCURRENT RESOLUTION NO. 121—Relative to the Sesquicentennial Anniversary of California's Admission into the Union.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

REPORTS OF STANDING COMMITTEES Committee on Rules

Date of Hearing: February 11, 2000

Mr. Speaker: Your Committee on Rules reports: Assembly Concurrent Resolution No. 120

Assembly Concurrent Resolution No. 121

With the recommendation: Be adopted.

HERTZBERG, Chairman

Above resolutions ordered on file.

Date of Hearing: February 11, 2000

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 44

With the recommendation: Be adopted.

Above resolution ordered on file.

HERTZBERG, Chairman

ASSEMBLY CONCURRENT RESOLUTIONS NOS. 120 AND 121 SET FOR SPECIAL ORDER

Assembly Member Wayne was granted unanimous consent that Assembly Concurrent Resolutions Nos. 120 and 121 be made special orders of business for Wednesday, February 16, 2000, at 1 p.m.

ADJOURN IN MEMORY

Assembly Member Battin was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Maurice Call, of Palm Springs.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE UNFINISHED BUSINESS MOTIONS TO RECONSIDER BILLS CONTINUED

By unanimous consent, the motions to reconsider the votes on Senate Bill No. 762 and Assembly Bill No. 1280 were continued until the next legislative day.

ADJOURN IN MEMORY Moment of Silence Observed

Assembly Member Kuehl was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Michael Fasman, of Beverly Hills, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1711 (Leach)—An act amend Sections 24533, 24534, 24535, and 24537 of the Health and Safety Code, relating to product safety, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was opened.

Call of the Assembly

Pending the announcement of the vote, Assembly Member Leach moved a call of the Assembly.

Motion carried. Time, 8:54 a.m.

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

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Senate Resolution

SENATE CONCURRENT RESOLUTION NO. 22 (Solis)—Relative to College Awareness Month.

Resolution read and adopted by the following vote:

AYES—62

Aanestad	Cunneen	Kuehl	Reves
Ackerman	Dickerson	Leach	Runner
Alquist	Ducheny	Leonard	Scott
Aroner	Dutra	Longville	Steinberg
Ashburn	Firebaugh	Machado	Strickland
Bates	Florez	Maldonado	Strom-Martin
Battin	Frusetta	Margett	Thomson
Bock	Gallegos	Mazzoni	Torlakson
Briggs	Granlund	McClintock	Washington
Campbell	Havice	Nakano	Wayne
Cardenas	Hertzberg	Olberg	Wiggins
Cardoza	Honda	Oller	Wildman
Cedillo	House	Pacheco, Robert	Zettel
Corbett	Jackson	Pacheco, Rod	Mr. Speaker
Correa	Kaloogian	Papan	•
Cox	Keeley	Pescetti	

NOES—None

Resolution ordered transmitted to the Senate.

CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 1711

At 8:57 a.m., on motion of Assembly Member Leach, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The urgency clause to Assembly Bill No. 1711 adopted by the following vote:

AYES-61

AanestadCunneenAckermanDickersonAlquistDuchenyAronerDutraAshburnFirebaughBatesFlorezBattinFrusettaBockGallegosBriggsGranlundCampbellHaviceCardozaHondaCedilloHouseCorbettJacksonCorreaKaloogianCoxKeeley	Kuehl Leach Leonard Longville Machado Maldonado Margett Mazzoni Nakano Olberg Oller Pacheco, Robert Pacheco, Rod Papan Pescetti Reyes	Runner Scott Steinberg Strickland Strom-Martin Thomson Torlakson Washington Wayne Wiggins Wildman Zettel Mr. Speaker
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NOES—None

The question being on the passage of the bill.

Bill passed by the following vote:

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Cunneen	Kuehl	Runner
Dickerson	Leach	Scott
Ducheny	Leonard	Steinber
Dutra	Longville	Strickla
Firebaugh	Machado	Strom-N
Florez	Maldonado	Thomso
Frusetta	Margett	Torlakso
Gallegos	Mazzoni	Washing
Granlund	Nakano	Wayne
Havice	Olberg	Wiggins
Hertzberg	Oller	Wildma
Honda	Pacheco, Robert	Zettel
House	Pacheco, Rod	Mr. Spe
Jackson	Papan	-
Kaloogian	Pescetti	
Keeley	Reyes	
	Dickerson Ducheny Dutra Firebaugh Florez Frusetta Gallegos Granlund Havice Hertzberg Honda House Jackson Kaloogian	DickersonLeachDuchenyLeonardDutraLongvilleFirebaughMachadoFlorezMaldonadoFrusettaMargettGallegosMazzoniGranlundNakanoHaviceOlbergHertzbergOllerHondaPacheco, RobertHousePacheco, RodJacksonPapanKaloogianPescetti

AYES—61

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NOES—None

ADJOURN IN MEMORY

Assembly Member Florez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Irvin James Wagner, of Bakersfield.

Assembly Member Jackson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Lisa Capps Brostrom, of Berkeley.

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

Assembly Member Longville was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Roene Marsh, of Twin Falls, Idaho.

Assembly Member Torlakson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Joe Moran, of Concord.

Assembly Member Washington was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Rev. Emmett James Richardson, of Sacramento.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

Consent Calendar: Kaloogian, Olberg, Scott, and Torlakson—Aye.

Assembly Bill No. 1711 and Urgency: Kaloogian, Olberg, Rod Pacheco, Scott, and Torlakson-Aye.

ANNOUNCEMENTS

Speaker pro Tempore Keeley announced that the Assembly would convene on Wednesday, February 16, 2000 in Benicia in commemoration of the Sesquicentennial celebration of California Statehood. He further advised the Members as to the procedures for casting votes and the microphone availability for addressing the Body during the Floor session. Those Members not planning to attend the session in Benicia were advised to follow usual procedures in submitting requests for excuse from the Floor session.

MOTION TO ADJOURN

At 9 a.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Alquist seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member House arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly member Washington that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 9:03 a.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

REQUESTS TO SUSPEND THE LIMIT ON THE INTRODUCTION OF BILLS

To the Committee on Rules:

Pursuant to Assembly Rule 49, I request permission to suspend the bill introduction limitation with respect to the following bill:

RN 001398.

SALLY HAVICE

Permission of Rules Committee

Assembly Chamber, February 11, 2000

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 001398.

ROBERT M. HERTZBERG, Chairman

To the Committee on Rules:

Pursuant to Assembly Rule 49, I request permission to suspend the bill introduction limitation with respect to the following bill: RN 0001748.

SALLY HAVICE

Permission of Rules Committee

Assembly Chamber, February 11, 2000

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0001748.

ROBERT M. HERTZBERG, Chairman

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1897—Davis. An act to amend Section 530.5 of the Penal Code, relating to identity theft.

ASSEMBLY BILL NO. 1898—Havice. An act to amend Section 94742.1 of the Education Code, relating to private postsecondary education.

ASSEMBLY BILL NO. 1899—Havice. An act to amend Section 1768.8 of the Welfare and Institutions Code, relating to crimes.

ASSEMBLY BILL NO. 1900—Steinberg. An act relating to teachers.

ASSEMBLY BILL NO. 1901—Cedillo (Principal coauthor: Washington). An act to add Chapter 18 (commencing with Section 50898) to Part 2 of Division 31 of the Health and Safety Code, relating to land use, and making an appropriation therefor.

ASSEMBLY BILL NO. 1902—Vincent. An act to add Article 5.6 (commencing with Section 19527) to Chapter 4 of Division 8 of the Business and Professions Code, relating to horse racing.

ASSEMBLY BILL NO. 1903—Lowenthal. An act to amend Sections 12206, 17058, and 23610.5 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

ASSEMBLY BILL NO. 1904—Runner. An act to amend Sections 984 and 3254 of the Unemployment Insurance Code, relating to unemployment insurance.

ASSEMBLY BILL NO. 1905—Rod Pacheco. An act to add Section 5782.5.2 to the Public Resources Code, relating to recreation and park districts.

ASSEMBLY BILL NO. 1906—Longville. An act to amend Section 233 of the Education Code, relating to schools.

ASSEMBLY BILL NO. 1907—Soto. An act to amend Section 2900 of the Vehicle Code, relating to vehicles.

ASSEMBLY BILL NO. 1908—Lempert. An act to amend Section 17316 of the Education Code, relating to school facilities.

ASSEMBLY BILL NO. 1909—Jackson. An act to add Chapter 5.10 (commencing with Section 13399.50) to Division 7 of the Water Code, relating to water.

ASSEMBLY BILL NO. 1910—Migden. An act to amend Section 130140 of the Health and Safety Code, relating to child development.

ASSEMBLY BILL NO. 1911—Wesson and Hertzberg. An act to add Section 51225 to the Education Code, relating to school districts.

ASSEMBLY BILL NO. 1912—Torlakson. An act to amend Section 18010 of, and to add Section 18009.3 to, the Health and Safety Code, relating to park trailers.

ASSEMBLY BILL NO. 1913—Cardenas, Cedillo, Firebaugh, Runner, Vincent, Wright, Senator Hughes, and Senator Murray (Coauthor: Senator Polanco). An act to add Sections 186.27 and 186.29 to, and to repeal and add Section 186.26 of, the Penal Code, and to amend Sections 625.3, 743, 746, and 749.22 of, and to add Sections 654.5 and 654.7 to, the Welfare and Institutions Code, relating to juveniles.

ASSEMBLY BILL NO. 1914—Nakano. An act to amend Section 13030 of the Education Code, relating to public education.

ASSEMBLY BILL NO. 1915—Corbett. An act to amend Sections 14105 and 14105.7 of the Welfare and Institutions Code, relating to Medi-Cal.

ASSEMBLY BILL NO. 1916—Bates. An act to add Section 5610.1 to the Business and Professions Code, relating to architects.

ASSEMBLY BILL NO. 1917—Jackson. An act to add Sections 32232.3, 51214, and 51220.6 to the Education Code, relating to domestic violence prevention education.

ASSEMBLY BILL NO. 1918—Romero. An act to add Section 66739 to the Education Code, relating to public postsecondary education.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 124—Havice. Relative to Gold Star Mothers Week.

ASSEMBLY CONCURRENT RESOLUTION NO. 125—Villaraigosa (Principal coauthor: Senator Murray) (Coauthors: Aroner, Correa, Davis, Dutra, Firebaugh, Florez, Floyd, Hertzberg, Honda, Jackson, Keeley, Knox, Kuehl, Leach, Longville, Lowenthal, Machado, Mazzoni, Migden, Nakano, Romero, Scott, Shelley, Soto, Steinberg, Strom-Martin, Torlakson, Vincent, Wayne, Wiggins, Wildman, and Wright) (Coauthors: Senators Bowen, Burton, Costa, Dunn, Figueroa, Hayden, Hughes, Karnette, Kelley, McPherson, Ortiz, Peace, Perata, Rainey, Sher, Speier, and Vasconcellos). Relative to California Neighborhood and Community Parks Month.

MESSAGES FROM THE SENATE

Senate Chamber, February 10, 2000

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

Senate Concurrent Resolution No. 61

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

FIRST READING OF SENATE BILLS

The following resolution was read:

SENATE CONCURRENT RESOLUTION NO. 61—Relative to Girls and Women in Sports Day.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 11 a.m., Tuesday, February 15, 2000 out of respect to the memory of Rev. Walter Goodin, on motion of Assembly Member Washington; out of respect to the memory of Maurice Call, on motion of Assembly Member Battin; out of respect to the memory of Michael Fasman, on motion of Assembly Member Kuehl; out of respect to the memory of Irvin James Wagner, on motion of Assembly Member Florez; out of respect to the memory of Lisa Capps Brostrom, on motion of Assembly Member Jackson; out of respect to the memory of Joe Moran, on motion of Assembly Member Torlakson; out of respect to the memory of Rev. Emmett James Richardson, on motion of Assembly Member Washington; out of respect to the memory of Roene Marsh, on motion of Assembly Member Longville; and out of respect to the memory of Susan Locker, on motion of Assembly Member Kuehl.

ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 11, 2000

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

ACR	RN	
120	0005386	
121	0005387	
Dai	ily Total:	2
Cumulati	ve Total:	3589

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