

CALIFORNIA LEGISLATURE

2001–02 REGULAR SESSION

---

---

# ASSEMBLY DAILY JOURNAL

---

---

**Tuesday, February 19, 2002**

**ONE HUNDRED FIFTY-THIRD SESSION DAY**

**FOUR HUNDRED FORTY-THIRD 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.

## PROCEEDINGS OF THE ASSEMBLY

---

### IN ASSEMBLY

---

Assembly Chamber, Sacramento  
Tuesday, February 19, 2002

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 Hollingsworth moved a quorum call of the Assembly.

Motion carried. Time, 11:01 a.m.

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

**At 11:15 a.m., Assistant Speaker pro Tempore Kehoe,  
76th District, presiding**

#### Quorum Present

At 11:15 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—73:

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

**PRAYER**

In observance of the Day of Remembrance for Japanese Americans interned during World War II, Assistant Speaker pro Tempore Kehoe invited Rev. Seicho Asahi, of the Koyasan Buddhist Temple, in Sacramento, to offer the morning prayer:

I was born and raised in Japan after the World War II, therefore, I do not have any experience in war. However, since I came to this country 21 years ago, I have learned the history of Japanese Americans especially the Internment camps during the World War II and Nisei soldiers who fought not only against enemies but also discrimination and prejudice within this country.

I was asked to give prayer to honor those who fought against discriminations and for their great accomplishments and dedication to our society today. In Buddhism, we use prayer and meditation to cultivate our consciousness. The fruits and flowers of the practice spring forth from the soil of the mind.

May we recognize those who fought for us in spite of physical and cultural difficulties. For the good of all of us, grant us wisdom and compassion. May the Day of Remembrance increase public awareness of the internment of Americans of Japanese ancestry during the World War II. May all of us create peace and harmony by learning from our history. May this become our nourishment and energies to make a unique contribution to our community.

May the compassionate one shine upon us all as we gather this memorable occasion.

**PRESENTATION OF COLORS AND PLEDGE OF ALLEGIANCE TO THE FLAG**

The Presentation of Colors by the Nisei Post 8985 VFW Auxiliary, Sacramento was followed by the Pledge of Allegiance to the Flag, led by Assembly Member Nakano.

**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 Cogdill, seconded by Assembly Member Cox.

**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 Briggs, Harman, Havice, and Hertzberg.*

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

*Because of illness: Assembly Member Bates.*

*Because of illness in his family: Assembly Member Cedillo.*

**EXPLANATIONS OF ABSENCE**

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

February 15, 2002

*The Honorable Herb Wesson  
Speaker, California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker: I am respectfully requesting to be excused from Session on Tuesday, February 19, 2002. I will be attending legislative business in my district.

Thank you for your assistance with this matter. Please feel free to contact Amy Krause in my Capitol Office if you have any questions.

Sincerely,

MIKE BRIGGS, Assembly Member  
Twenty-ninth District

February 15, 2002

*Hon. Herb Wesson, Speaker  
California State Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Mr. Speaker,

I respectfully request to be excused on Tuesday, February 19, 2002 for legislative business in the district.

Feel free to call me if you have questions. Thank you for your consideration of this request.

Sincerely,

TOM HARMAN, Assembly Member  
Sixty-seventh District

February 15, 2002

*Hon. Herb Wesson  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Wesson: I respectfully request your authorization to be excused from session on Tuesday, February 19th, 2002.

I will be in my district attending to legislative business.

Thank you for your time, attention, and consideration in this matter.

Sincerely,

SALLY M. HAVICE, Assembly Member  
Fifty-sixth District

February 7, 2002

*The Honorable Herb Wesson, Jr.  
Speaker of the Assembly  
State Capitol, Room 219  
Sacramento, California*

Dear Speaker Wesson: Please accept this request to be excused from Check-In Session on Tuesday, February 19, 2002. I will be on legislative business. Should you have any questions, please feel free to have your staff contact Diane Griffiths, my Chief of Staff.

Thank you in advance for your consideration of this request.

Sincerely,

ROBERT M. HERTZBERG, Assembly Member  
Fortieth District

#### COMMUNICATIONS

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

February 19, 2002

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

Re: Assembly Revenue and Taxation Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Darrell Steinberg to replace Assemblymember Gil Cedillo on the Assembly Revenue and Taxation Committee for the Tuesday, February 19th hearing only.

Sincerely,

HERB J. WESSON, JR.  
Speaker of the California Assembly

February 19, 2002

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

Re: Assembly Revenue and Taxation Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Mark Wyland to replace Assemblymember Tom Harman as Vice Chair and have appointed Assemblymember Bill Campbell to replace Assemblymember Mark Wyland on the Assembly Revenue and Taxation Committee for the Tuesday, February 19th hearing only.

Sincerely,

HERB J. WESSON, JR.  
Speaker of the California Assembly

**REPORTS**

The following reports were presented by the Chief Clerk:

**Early Start Annual Performance Report  
July 1, 1999–September 30, 2000  
(Pursuant to Federal Regulation Code 303.654 Title 34)**

Above transmitted report, together with letter of transmittal from Cliff Allenby, Director, Department of Developmental Services, dated February 5, 2002, referred by the Speaker to the Committee on Human Services.

**California National Guard  
Emergency Readiness State Audit Report  
(Pursuant to a request by the Joint Legislative Audit Committee)**

Above transmitted report, together with letter of transmittal from Elaine M. Howle, State Auditor, Bureau of State Audits, dated February 14, 2002, referred by the Speaker to the Committee on Governmental Organization.

**Salaries for Occupations Comparable to Selected  
State Civil Service Classifications  
(Pursuant to Government Code Section 19826 (c))**

Above transmitted report, together with letter of transmittal from Bob Painter, Chief, Policy Development Office, Department of Personnel Administration, dated February 5, 2002, referred by the Speaker to the Committee on Labor and Employment.

**Deer Management and Deer Herd Management Plan  
Implementation Program  
(Pursuant to Fish and Game Code Section 456)**

Above transmitted report, together with letter of transmittal from Robert C. Hight, Director, Department of Fish and Game, dated February 4, 2002, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**California Educational Facilities Authority—Financial Statements for Years  
2000 through June 30, 2001  
(Pursuant to Education Code Section 94155)**

Above transmitted report, together with letter of transmittal from Terrence L. Partington, Deputy Executive Director, California Educational Facilities Authority, dated February 5, 2002, referred by the Speaker to the Committee on Budget.

**2001 Seismic Safety Commission Annual Report  
(Pursuant to Government Code Chapter 12, Section 8870)**

Above transmitted report, together with letter of transmittal from Richard J. McCarthy, Executive Director, Seismic Safety Commission, dated January 1, 2002, referred by the Speaker to the Committee on Governmental Organization.

**2001 Conservation  
Recycling and Groundwater Recharge Report  
(Pursuant to Metropolitan Water District Act  
Sections 130.5 and 130.7)**

Above transmitted report, together with letter of transmittal from Kathleen Cole, Legislative Representative, Metropolitan Water District of Southern California, dated February 1, 2002, referred by the Speaker to the Committee on Natural Resources.

**2001 Parole Hearings November Report  
(Pursuant to Penal Code Section 3041(d))**

Above transmitted report, together with letter of transmittal from James Dowling, Executive Officer, Board of Prison Terms, dated February 4, 2002, referred by the Speaker to the Committee on Public Safety.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, February 19, 2002

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

Assembly Bill No. 1785

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, February 19, 2002

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

Assembly Concurrent Resolution No. 145

Assembly Concurrent Resolution No. 148

Assembly Concurrent Resolution No. 149

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

**AUTHOR'S AMENDMENTS**

**Committee on Health**

February 19, 2002

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

Assembly Bill No. 1787

Assembly Bill No. 1795

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

THOMSON, Chairwoman

**ASSEMBLY BILL NO. 1787**—An act relating to health.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**ASSEMBLY BILL NO. 1795**—An act to add Section 1367.03 to the Health and Safety Code, and to add Section 10123.146 to the Insurance Code, relating to health care coverage.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**REPORTS OF STANDING COMMITTEES**

**Committee on Rules**

Date of Hearing: February 19, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 129

Assembly Concurrent Resolution No. 150

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolutions ordered to third reading.

Date of Hearing: February 19, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 138

With amendments with the recommendation: Amend, and be adopted, as amended.

CARDOZA, Chairman

Above resolution ordered on file.

#### REFERENCE OF BILLS TO COMMITTEE

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

##### *Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>1866</b> -----	H. & C.D. and L. Gov.
<b>1905</b> -----	Ed. and Health
<b>1909</b> -----	Jud.
<b>1910</b> -----	Rev. & Tax.
<b>1923</b> -----	Trans.
<b>1924</b> -----	Higher Ed.
<b>1926</b> -----	Jud. and H. & C.D.
<b>1928</b> -----	Jud.
<b>1930</b> -----	Ed.
<b>1931</b> -----	W.,P. & W. and Nat. Res.
<b>1932</b> -----	Ins.
<b>1933</b> -----	Jud.
<b>1935</b> -----	W.,P. & W.
<b>1936</b> -----	Rev. & Tax.
<b>1937</b> -----	Trans.

##### *Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>
<b>152</b> -----	Rls.

##### *House*

<i>Resolution No.</i>	<i>Committee</i>
<b>35</b> -----	Pub. S. and Trans.

##### *Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>91</b> -----	Trans.
<b>97</b> -----	Jud.
<b>247</b> -----	Jud.

#### REQUEST FOR PHOTOGRAPHER

Assembly Members Nakano and Wiggins were granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

#### PRIVILEGES OF THE FLOOR

Upon request of Assembly Member Firebaugh, Assembly Member Wiggins was granted unanimous consent that the privileges of the Floor be extended to Mr. and Mrs. Robert Mondavi.



**CONSIDERATION OF DAILY FILE  
THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 148 (Nakano)**—Relative to a Day of Remembrance.

Resolution read.

**Request to Read Paper**

Assembly Member Wayne was granted unanimous consent to read a paper on the Floor of the Assembly.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 148**

Assembly Member Nakano was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 148.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Nakano was granted unanimous consent to take up Assembly Concurrent Resolution No. 148, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 148, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 148**—Relative to a Day of Remembrance.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**SPECIAL COMMITTEE MEETINGS**

Assembly Member Migden was granted unanimous consent that the Committee on Appropriations be permitted to hold a special meeting on Thursday, February 21, 2002, and that Joint Rule 62(a) be waived for the purpose of setting Senate Bills Nos. 369, 469, 1227, 801, and 823 for hearing.

**ADJOURN IN HONOR**

Assembly Member Aanestad was granted unanimous consent that when the Assembly adjourns on this day it do so in honor of the birth of a baby boy to Josh and Robinette Cook, of Chico.

**RECESS**

By unanimous consent, at 11:47 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Wiggins was joined by Senator Chesbro in introducing Napa vintner Robert Mondavi and his wife Margrit Mondavi. She then presented a resolution to Robert Mondavi recognizing lifetime achievement on behalf of California wine, food and the arts. Assembly Member Wiggins then introduced Larry Vanderhoef, Chancellor of the University of California at Davis, whereupon he gave a "presidential citation" to Mr. and Mrs. Mondavi for their contributions to the University of California, Davis.

Mr. Robert Mondavi then addressed the assemblage.

**RECONVENED**

At 12 noon, the Assembly reconvened.

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

**ADJOURN IN MEMORY**

Assembly Member Alquist was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mildred Boss, of Mountain View.

(Assembly Rule 45.5 suspended.)

Assembly Member Hollingsworth was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Henry Rodriguez, tribal elder, La Jolla Band of Luiseno Indians, Pauma Valley.

(Assembly Rule 45.5 suspended.)

**ACTION RESCINDED ON SENATE BILL NO. 332**

Upon request of Assembly Member Firebaugh, Assembly Member Thomson was granted unanimous consent to rescind the action whereby the Assembly, on August 20, 2001 (Assembly Journal, page 3097), passed Senate Bill No. 332, and whereby the bill was transmitted to the Senate.

**Consideration of Senate Bill No. 332 by Unanimous Consent**

Assembly Member Thomson was granted unanimous consent to take up Senate Bill No. 332 without reference to file, for purpose of amendment.

**SENATE BILL NO. 332 (Sher)**—An act to amend Sections 18944.30, 18944.31, 18944.33, 18944.35, and 18944.40 of the Health and Safety Code, relating to building standards.

Bill read third time.

**Motion to Amend**

Assembly Member Thomson moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Correa announced that the Committee on Business and Professions, convened earlier this day, would reconvene today, upon adjournment of Floor session.

**BILLS PLACED ON INACTIVE FILE**

The following bill was placed upon the inactive file:

**Senate Bill No. 284**, on request of Assembly Member Vargas.

**CAUCUS ANNOUNCEMENTS**

Assembly Member Strickland announced that the Republican Caucus would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

**CONSIDERATION OF DAILY FILE (RESUMED)****UNFINISHED BUSINESS****MOTIONS TO RECONSIDERATION BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 773 and 510 were continued until Thursday, February 21, 2002.

**THIRD READING OF SENATE BILLS**

**SENATE CONCURRENT RESOLUTION NO. 51 (Torlakson)**—Relative to California Fitness Month.

Resolution read, presented by Assembly Member Aroner, and adopted by the following vote:

**AYES—73**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

**SENATE CONCURRENT RESOLUTION NO. 58 (Machado)**—Relative to California Eating Disorders Awareness Week.

Resolution read, and presented by Assembly Member Aroner.

**Members Made Coauthors of Senate Concurrent Resolution No. 58**

Assembly Member Aroner was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 58.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Aroner was granted unanimous consent to take up Senate Concurrent Resolution No. 58, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 58, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 58**—Relative to California Eating Disorders Awareness Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Corbett announced that the Committee on Revenue and Taxation would meet today at 2 p.m., instead of 1:30 p.m., in Room 444.

**ADJOURN IN MEMORY**

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 Lois Petrovich, of Glendale.

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 Matthew Lyon, of Berkeley.

**VOTE ADDS**

The following Assembly Member was granted unanimous consent to record his vote on the following item:

**Senate Concurrent Resolution No. 51:** Leslie—Aye.

**MOTION TO ADJOURN**

At 12:23 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member Strickland seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 12:24 p.m., Assistant Speaker pro Tempore Kehoe declared the quorum call of the Assembly dispensed with.

**REQUEST 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 0203179.

ANTHONY PES CETTI

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0203179.

DENNIS CARDOZA, 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 0201820.

SARAH REYES

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0201820.

DENNIS CARDOZA, 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 0203308.

GIL CEDILLO

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0203308.

DENNIS CARDOZA, 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 0203199.

GEORGE NAKANO

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0203199.

DENNIS CARDOZA, 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 0202298.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0202298.

DENNIS CARDOZA, 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 0200429.

GEORGE NAKANO

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0200429.

DENNIS CARDOZA, 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 0202304.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0202304.

DENNIS CARDOZA, 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 0201447.

SARAH REYES

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0201447.

DENNIS CARDOZA, 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 0202867.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0202867.

DENNIS CARDOZA, 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 0202958.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0202958.

DENNIS CARDOZA, 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 0203074.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0203074.

DENNIS CARDOZA, 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 0204234.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0204234.

DENNIS CARDOZA, 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 0124459.

MIKE BRIGGS

**Permission of Rules Committee**

Assembly Chamber, February 19, 2002

The Committee on Rules grants permission to suspend Assembly Rule 49(c) with respect to the following bill: RN 0124459.

DENNIS CARDOZA, Chairman

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2055—Robert Pacheco.** An act to amend Section 2018 of the Code of Civil Procedure, and to amend Sections 803 and 1524 of the Penal Code, relating to attorney work product.

**ASSEMBLY BILL NO. 2056—Zettel.** An act to add Section 6362.2 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

**ASSEMBLY BILL NO. 2057—Steinberg.** An act relating to mental health.

**ASSEMBLY BILL NO. 2058—Papan and Dutra.** An act to add Division 31 (commencing with Section 81300) to the Water Code, relating to water.

**ASSEMBLY BILL NO. 2059—Rod Pacheco.** An act to amend Section 15254 of the Government Code, relating to public safety.

**ASSEMBLY BILL NO. 2060—Bates.** An act to amend Sections 31760.2, 31785.1, and 31786.1 of the Government Code, relating to county employees' retirement.

**ASSEMBLY BILL NO. 2061—Salinas.** An act to add Chapter 2.67 (commencing with Section 7286.28) to Part 1.7 of Division 2 of the Revenue and Taxation Code, relating to taxation, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2062—Pescetti and Reyes (Coauthors: Ashburn, Bates, Bill Campbell, Cox, and Strickland).** An act relating to energy.

**ASSEMBLY BILL NO. 2063—Reyes.** An act to add Sections 31664.21 and 31676.20 to the Government Code, relating to county employees' retirement.

**ASSEMBLY BILL NO. 2064—Cedillo.** An act to add Section 120871 to the Health and Safety Code, relating to health.

**ASSEMBLY BILL NO. 2065—Nakano.** An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.



**ASSEMBLY BILL NO. 2066—Briggs.** An act to amend Section 35511 of the Education Code, relating to school districts.

**ASSEMBLY BILL NO. 2067—Nakano.** An act to add Chapter 10 (commencing with Section 115300) to Part 9 of Division 102 of the Health and Safety Code, relating to health.

**ASSEMBLY BILL NO. 2068—Briggs.** An act to amend Section 35735 of the Education Code, relating to school districts.

**ASSEMBLY BILL NO. 2069—Reyes.** An act to add Sections 51211 and 51221.5 to the Education Code, relating to curriculum.

**ASSEMBLY BILL NO. 2070—Jackson.** An act to add Section 7067 to the Business and Professions Code, relating to contractors.

**ASSEMBLY BILL NO. 2071—Jackson.** An act to add Section 116747 to the Health and Safety Code, relating to drinking water.

**ASSEMBLY BILL NO. 2072—Mountjoy.** An act to amend Section 11126 of the Government Code, relating to open meetings.

**ASSEMBLY BILL NO. 2073—Canciamilla.** An act to add Section 721.5 to the Revenue and Taxation Code, relating to taxation.

**ASSEMBLY BILL NO. 2074—Chavez.** An act to amend Section 23580 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 2075—Chavez.** An act to amend Section 1203.1b of the Penal Code, relating to probation costs.

**ASSEMBLY BILL NO. 2076—Briggs.** An act relating to public employee health benefits.

**ASSEMBLY BILL NO. 2077—Koretz.** An act to add Section 66903.7 to the Education Code, relating to nursing education.

**ASSEMBLY BILL NO. 2078—Briggs.** An act to add Section 14035.8 to the Government Code, relating to transportation.

**ASSEMBLY BILL NO. 2079—Jackson.** An act to amend Section 798.30 of the Civil Code, relating to mobilehomes.

**ASSEMBLY BILL NO. 2080—Steinberg.** An act relating to firearms.

**ASSEMBLY BILL NO. 2081—Briggs.** An act to amend Section 12088.1 of the Penal Code, relating to firearm safety devices, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2082—Longville.** An act to amend Section 81008 of the Government Code, relating to the Political Reform Act of 1974.

**ASSEMBLY BILL NO. 2083—Jackson.** An act to add Division 7.9 (commencing with Section 8780) to the Public Resources Code, relating to public resources.

**ASSEMBLY BILL NO. 2084—Briggs.** An act to add Section 48205.5 to, and to repeal Section 46010.1 of, the Education Code, relating to pupils.

**ASSEMBLY BILL NO. 2085—Corbett.** An act to amend Section 1368 of the Health and Safety Code, and to amend Section 10145.3 of the Insurance Code, relating to health care.

**ASSEMBLY BILL NO. 2086—Bogh.** An act to amend Section 1793.2 of the Civil Code, relating to consumer warranties.

**ASSEMBLY BILL NO. 2087—Oropeza.** An act to amend Sections 5273, 5273.5, and 5440 of, to add Sections 5273.6 and 5442.11 to, and to repeal Sections 5441 and 5442.9 of, the Business and Professions Code, relating to outdoor advertising.

**ASSEMBLY BILL NO. 2088—Briggs.** An act to add Division 5.9 (commencing with Section 5950) to the Public Resources Code, relating to youth programs, by providing the funds necessary therefor through the issuance and sale of bonds of the State of California and by providing for the handling and disposition of those funds.

**ASSEMBLY BILL NO. 2089—Aanestad (Principal coauthor: Senator Johannessen).** An act to add Section 1104.1 to the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2090—Aanestad (Principal coauthor: Senator Johannessen).** An act to add Chapter 4 (commencing with Section 1130) to Division 5 of the Military and Veterans Code, relating to veterans' homes, by providing the funds necessary therefor through an election for, and the issuance and sale of, bonds of the State of California and by providing for the handling and disposition of those funds, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2091—Kelley.** An act to amend Section 63901 of the Food and Agricultural Code, relating to agriculture.

**ASSEMBLY BILL NO. 2092—Kelley.** An act to amend Sections 8601 and 8625 of, and to add Section 6307.1 to, the Public Resources Code, relating to the California State Lands Commission, and making an appropriation therefor.

**ASSEMBLY BILL NO. 2093—Dickerson (Coauthor: Senator Alpert).** An act to amend Section 56836.08 of the Education Code, relating to special education.

**ASSEMBLY BILL NO. 2094—Aroner.** An act to amend Section 5091.20 of the Public Resources Code, relating to SNO-PARKS.

**ASSEMBLY BILL NO. 2095—Kehoe.** An act to amend Section 29532.1 of the Government Code, and to add Chapter 3 (commencing with Section 132350) to Division 12.7 of the Public Utilities Code, relating to transportation.

**ASSEMBLY BILL NO. 2096—Dutra.** An act to amend Section 650 of the Unemployment Insurance Code, relating to unemployment insurance.

**ASSEMBLY BILL NO. 2097—Diaz.** An act to add Section 89003.5 to the Education Code, relating to the California State University.

**ASSEMBLY BILL NO. 2098—Bates.** An act to amend Sections 23540, 23546, and 23592 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 2099—Diaz.** An act relating to peace officer antiterrorism training, and making an appropriation therefor.

**ASSEMBLY BILL NO. 2100—Simitian.** An act to amend Section 41204.1 of the Education Code, and to add Section 97.42 to the Revenue and Taxation Code, relating to local government finance.

**ASSEMBLY BILL NO. 2101—Rod Pacheco, Bogh, and Zettel (Coauthor: Aanestad, Bates, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, Kelley, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Robert Pacheco, Pescetti, Runner, Strickland, Wyland, and Wyman (Coauthor: Senator Ackerman)).** An act to add Article 4 (commencing with Section 11350) to Chapter 3 of Title 1 of Part 4 of the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2102—Zettel and Rod Pacheco (Coauthor: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, Kelley, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Strickland, Wyland, and Wyman) (Coauthor: Senators Ackerman, Monteith, and Morrow).** An act to add Article 4 (commencing with Section 11350) to Chapter 3 of Title 1 of Part 4 of the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2103—Wyman, Mountjoy and Rod Pacheco (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, Kelley, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Robert Pacheco, Pescetti, Runner, Strickland, Wyland, and Zettel) (Coauthors: Senators Ackerman, Monteith, and Morrow).** An act to amend Section 190.2 of the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2104—Rod Pacheco, Hollingsworth, and Strickland** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Kelley, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Wyland, Wyman, and Zettel) (Coauthors: Senators Ackerman, Monteith, and Morrow). An act to add Section 799.5 to the Penal Code, relating to the commencement of prosecution.

**ASSEMBLY BILL NO. 2105—La Suer and Dickerson** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Harman, Hollingsworth, Kelley, Leach, Leonard, Leslie, Maddox, Maldonado, Robert Pacheco, Rod Pacheco, Pescetti, Runner, Strickland, Wyland, Wyman, and Zettel) (Coauthor: Senator Ackerman). An act to amend Section 296 of the Penal Code, relating to DNA collection, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2106—Bogh and Rod Pacheco** (Coauthors: Aanestad, Bates, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Leach, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Strickland, Wyland, Wyman, and Zettel) (Coauthor: Senator Ackerman). An act to add Section 787 to the Penal Code, relating to jurisdiction, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2107—Strickland, Rod Pacheco, and John Campbell** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, Kelley, La Suer, Leach, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Wyland, Wyman, and Zettel) (Coauthors: Senators Ackerman, Monteith, and Morrow). An act to amend Section 186.10 of the Penal Code, relating to money laundering, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2108—Hollingsworth** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Kelley, La Suer, Leach, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Rod Pacheco, Pescetti, Runner, Strickland, Wyland, Wyman, and Zettel) (Coauthors: Senators Ackerman and Monteith). An act to add Article 5 (commencing with Section 11450) to Chapter 3 of Title 1 of Part 4 of the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2109—Cogdill, Bogh, and Runner** (Coauthors: Aanestad, Bates, Briggs, Bill Campbell, John Campbell, Cox, Daucher, Dickerson, Harman, Hollingsworth, Kelley, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Rod Pacheco, Pescetti, Strickland, Wyland, Wyman, and Zettel) (Coauthors: Senators Ackerman and Morrow). An act to amend Sections 11418, and 11419 of, and to add Sections 11419.5, 11420, and 11421 to, the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2110—Aanestad, Strickland, and Rod Pacheco** (Coauthors: Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Leach, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Wyland, Wyman, and Zettel) (Coauthors: Senator Ackerman). An act to amend Section 11418.5 of, and to add Sections 11419.5 and 11421 to, the Penal Code, relating to terrorism, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2111—Strickland** (Coauthors: Bates, Bogh, Briggs, Bill Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Leach, Leslie, Maddox, Maldonado, Mountjoy, Robert Pacheco, Pescetti, Runner, Wyland, Wyman, and Zettel) (Coauthor: Senator Ackerman). An act to add Section 11105.04 to the Penal Code, relating to transportation of hazardous materials, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2112—Cogdill** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Cox, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Leach, Maldonado, Mountjoy, Robert Pacheco, Rod Pacheco, Pescetti, Runner, Strickland, Wyland, Wyman, and Zettel) (Coauthor: Senator Ackerman). An act to amend Section 12502 of the Vehicle Code, relating to vehicles, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2113—Bogh and Leslie** (Coauthors: Aanestad, Bates, Briggs, John Campbell, Cogdill, Cox, Daucher, Dickerson, Harman, Hollingsworth, La Suer, Leach, Leonard, Maddox, Mountjoy, Pescetti, Strickland, Wyland, and Wyman) (Coauthors: Senators Ackerman, Monteith, and Morrow). An act to amend Section 529.5 of the Penal Code, and to amend Sections 12814, 12815, and 13000 of the Vehicle Code, relating to identification, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2114—La Suer and Robert Pacheco** (Coauthors: Aanestad, Bates, Bogh, Briggs, Bill Campbell, Cogdill, Cox, Daucher, Harman, Hollingsworth, Kelley, Leach, Leonard, Leslie, Maddox, Maldonado, Mountjoy, Rod Pacheco, Pescetti, Runner, Wyland, Wyman, and Zettel) (Coauthor: Senator Ackerman). An act to add Section 11010 to the Penal Code, relating to crimes, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2115—Goldberg.** An act to add Section 221.2 to the Education Code, relating to schools.

**ASSEMBLY BILL NO. 2116—Aroner.** An act to amend Sections 11454 and 11454.5 of the Welfare and Institutions Code, relating to CalWORKs.

**ASSEMBLY BILL NO. 2117—Kehoe.** An act to add Section 1363.04 to the Health and Safety Code, relating to health care.

**ASSEMBLY BILL NO. 2118—Dickerson.** An act to amend Sections 6303 and 6304.1 of the Labor Code, relating to volunteer firefighting, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2119—Washington.** An act to add Sections 1747.25 and 1785.15.5 to the Civil Code, relating to consumer credit.

**ASSEMBLY BILL NO. 2120—Simitian.** An act relating to school finance.

**ASSEMBLY BILL NO. 2121—Kehoe.** An act to amend Section 12501.1 of the Business and Professions Code, relating to weights and measures.

**ASSEMBLY BILL NO. 2122—Washington.** An act to amend Section 53635 of the Government Code, relating to local agency funds.

**ASSEMBLY BILL NO. 2123—Koretz.** An act to amend Section 31592 of, and to add Sections 31520.21 and 31592.5 to, the Government Code, relating to county employees' retirement.

**ASSEMBLY BILL NO. 2124—Aanestad.** An act to add Section 1301 to the Health and Safety Code, relating to health facilities, and declaring the urgency thereof, to take effect immediately.

## RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 154—Washington.** Relative to the 48th Anniversary of Brown v. Board of Education.

## MESSAGES FROM THE SENATE

Senate Chamber, February 19, 2002

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

Assembly Concurrent Resolution No. 147

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

Above resolution ordered enrolled.

Senate Chamber, February 19, 2002

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

Assembly Bill No. 1131

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

Above bill ordered enrolled.

Senate Chamber, February 19, 2002

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

Senate Concurrent Resolution No. 53

Senate Concurrent Resolution No. 54

Senate Concurrent Resolution No. 63

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

### FIRST READING OF SENATE BILLS

The following resolutions were read:

**SENATE CONCURRENT RESOLUTION NO. 53**—Relative to California Hispanic Heritage Month.

**SENATE CONCURRENT RESOLUTION NO. 54**—Relative to College Awareness Month.

**SENATE CONCURRENT RESOLUTION NO. 63**—Relative to Random Acts of Kindness Week.

### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Wednesday, February 20, 2002, out of respect to the memory of Mildred Boss, on motion of Assembly Member Alquist; out of respect to the memory of Henry Rodriguez, on motion of Assembly Member Hollingsworth; out of respect to the memory of Lois Petrovich, on motion of Assembly Member Frommer; and out of respect to the memory of Matthew Lyon, on motion of Assembly Member Aroner.

---

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

## **AMENDMENTS CONSIDERED BY THE ASSEMBLY ON FEBRUARY 19, 2002**

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

<b>AB</b>	<b>RN</b>
-----------	-----------

1787	0205059
------	---------

1795	0205075
------	---------

<b>SB</b>	<b>RN</b>
-----------	-----------

332	0123089
-----	---------

<b>Daily Total:</b>	<b>3</b>
---------------------	----------

<b>Cumulative Total:</b>	<b>3445</b>
--------------------------	-------------

O