

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 7, 2001
THIRTY-FOURTH SESSION DAY
NINETY-FOURTH CALENDAR DAY
AT SACRAMENTO, CALIFORNIA



PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, March 7, 2001

The Assembly met at 7 a.m.

Hon. Barbara Matthews, Assembly Member, 17th District, presiding.

Chief Clerk E. Dotson Wilson at the Desk.

Assistant Clerk Sue Parker reading.

ROLL CALL

The following were placed upon the morning roll call—73:

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

Quorum present.

At 10:46 a.m., Hon. Herb Wesson, 30th District, presiding

REGULAR BUSINESS DISPENSED WITH

By unanimous consent, the regular order of business of the Assembly was dispensed with for this legislative day.

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 Chavez, Papan, Romero, Runner, Simitian, and Washington.

EXPLANATIONS OF ABSENCE

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

March 1, 2001

The Honorable Robert Hertzberg
Speaker of the Assembly
State Capitol, Room 219

Dear Mr. Speaker: I am requesting to be excused from Check-In for Wednesday 7, 2001 to attend to legislative business in my District.

Thank you for your consideration of this request. If you should have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

DR. GLORIA ROMERO, Assembly Member
 Forty-ninth District

March 2, 2001

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

Dear Mr. Speaker: I would like to request permission to be excused from the sessions on the 7th of March. I will be returning later that evening. I am planning to travel to my district for legislative business.

Thank you in advance for your consideration of this request. Should you have any questions please contact my Chief of Staff, Will Smith at 319-2036.

Sincerely,

GEORGE RUNNER, Assembly Member
 Thirty-sixth District

March 1, 2001

The Honorable Robert M. Hertzberg
Speaker of the Assembly
Room 219, State Capitol
Sacramento, California

Dear Mr. Speaker,

I respectfully request an excused absence from the Check-In Session on Wednesday, March 7, 2001. I will be serving as a panelist in the selection process for the Truman Fellowships, a prestigious scholarship awarded to college juniors.

I will be traveling to San Francisco and I will return in the evening. My expenses will not be charged to my legislative budget.

Thank you for consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN, Assembly Member
 Twenty-first District

(NOTE: For letters explaining the absences of Assembly Members Chavez, Papan, and Washington on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 6, 2001.)

COMMUNICATIONS

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

March 7, 2001

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

Dear Dotson: This is to advise you that I have appointed Assemblymembers Joe Canciamilla and Dick Dickerson to replace Assemblymembers Joe Simitian and George Runner on the Assembly Appropriations Committee for today's hearing only.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

REPORTS

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

California State Auditor

2000-133
February 28, 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 California Earthquake Authority's (authority) expenditures for reinsurance and its implementation of its State Assistance for Earthquake Retrofitting (SAFER) pilot program.

This report concludes the authority's high rate in 1998 that was an initial cause for concern was primarily due to one-time factors during its first two years of operations. The authority's reinsurance costs are still high, but not unreasonable, because it is highly dependent on outside sources, such as reinsurance, to pay its policyholders' claims in the event of an earthquake and because of unique restrictions the law places on the authority. However, the authority has succeeded in reducing these costs by negotiating favorable amendments to its contracts and exercising options that may reduce its reliance on reinsurance. In addition, it is too early to fully assess the SAFER program's effectiveness in achieving retrofits because the authority does not have sufficient data from homeowners who may have completed retrofit improvements outside of the SAFER program. However, as yet the small number of homeowners who made seismic improvements through the SAFER program indicates that the program has not been successful.

Finally, the authority is reducing its backlog of seismic inspections for homeowners and the remaining assessments should be mailed to homeowners by mid-May 2001.

Respectfully submitted,

ELAINE HOWLE
State Auditor

Above report referred to the Committee on Insurance.

SPECIAL COMMITTEE MEETINGS

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

Housing and Community Development, on March 14, 2001, at 9 a.m., in Room 126.

AUTHORIZATION TO INTRODUCE BILLS PURSUANT TO JOINT RULE 54

Pursuant to the provisions of Joint Rule 54, the following communication was presented permitting the introduction of an Assembly bill:

Dear Mr. Clerk: Pursuant to the provisions of Joint Rule 54, I hereby authorize Assembly Member Migden to introduce a bill relating to animals.

Request No. 0108814.

ROBERT M. HERTZBERG
Speaker of the Assembly

INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 1705—Committee on Transportation (Dutra (Chair), Rod Pacheco (Vice Chair), Florez, Hollingsworth, La Suer, Leach, Liu, Longville, Mountjoy, Nakano, Oropeza, Simitian, Strom-Martin, and Vargas). An act to amend Section 182.6, 182.7, and 182.8 of the Streets and Highways Code, relating to transportation.

ASSEMBLY BILL NO. 1706—Committee on Transportation (Dutra (Chair), Florez, Liu, Longville, Nakano, Oropeza, Simitian, Strom-Martin, and Vargas). An act to amend Sections 5403 and 17206 of the Business and Professions Code, and to amend Section 730.5 of the Streets and Highways Code, relating to state highways.

ASSEMBLY BILL NO. 1707—Committee on Transportation (Dutra (Chair), Florez, Liu, Longville, Nakano, Oropeza, Simitian, Strom-Martin, and Vargas). An act to add Section 24616 to the Vehicle Code, relating to equipment of vehicles.

ASSEMBLY BILL NO. 1708—Committee on Transportation (Dutra (Chair), Rod Pacheco (Vice Chair), Florez, Hollingsworth, La Suer, Leach, Liu, Longville, Mountjoy, Nakano, Oropeza, Simitian, Strom-Martin, and Vargas). An act to add Section 25163.2 to the Health and Safety Code, and to amend Section 27700 of the Vehicle Code, relating to hazardous waste.

ASSEMBLY BILL NO. 1709—Migden. An act to amend Section 399 of the Penal Code, relating to animals.

ASSEMBLY BILL NO. 1710—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Sections 10228 and 14001 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1711—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Section 2185 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1712—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Section 3006 of the Elections Code, relating to absentee ballots.

ASSEMBLY BILL NO. 1713—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Section 8022 of the Elections Code, relating to primary elections.

ASSEMBLY BILL NO. 1714—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Sections 1100 and 9605 of the Elections Code, relating to elections.

ASSEMBLY BILL NO. 1715—Committee on Elections, Reapportionment and Constitutional Amendments (Longville (Chair), Cardenas, Cardoza, Firebaugh, Horton, Kehoe, Nakano, Oropeza, Shelley, and Vargas). An act to amend Section 12220 of the Elections Code, relating to preselection procedures.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 7, 2001

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

Assembly Bill No. 90

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

REPORTS OF STANDING COMMITTEES

Committee on Appropriations

Date of Hearing: March 7, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Bill No. 115

With the recommendation: Do pass.

MIGDEN, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 7, 2001

Mr. Speaker: Your Committee on Appropriations reports:

Assembly Concurrent Resolution No. 31

With the recommendation: Be adopted.

MIGDEN, Chairwoman

Above resolution ordered to third reading.

Committee on Public Safety

Date of Hearing: February 27, 2001

Mr. Speaker: Your Committee on Public Safety reports:

Assembly Bill No. 35

With amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Appropriations.

WASHINGTON, Chairman

Above bill ordered to second reading.

ADJOURNMENT

At 3:45 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 8, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

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