

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 7, 2002**

**ONE HUNDRED SIXTY-FIRST SESSION DAY  
FOUR HUNDRED FIFTY-NINTH CALENDAR DAY  
AT SACRAMENTO, CALIFORNIA**



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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  
Thursday, March 7, 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 Bates 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.

#### Quorum Present

At 11:06 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—71:

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

**PRAYER**

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Alternate Chaplain Rev. Constantine C. Pappademos:

*O God, If we do not love You with all our heart and all our mind, with all our soul and all our strength, we will love something else with all our heart and mind and soul and strength. Grant that putting You first in all our lovings we may be liberated from all lesser loves and loyalties, and have You as our first love, our primary good and our final joy.—AMEN.*

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Leonard 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 Mountjoy, seconded by Assembly Member Bill Campbell.

**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 Calderon, Koretz, Reyes, Shelley, and Simitian.*

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

*Because of illness: Assembly Member Havice.*

*Because of illness in their families: Assembly Members Cedillo and Liu.*

**EXPLANATIONS OF ABSENCE**

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

March 6, 2002

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

Dear Mr. Speaker: I am writing to request to be excused from Assembly Floor Session on Thursday, March 7, 2002 to attend legislative business in my district office. I will return on Monday, March 11, 2002.

Sincerely,

THOMAS M. CALDERON, Assembly Member  
Fifty-eighth District

March 6, 2002

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

Dear Mr. Speaker: I respectfully request that I be excused from floor session on Thursday, March 7, 2002, due to legislative business.

Thank you for your consideration of this request. Please contact Tish Becerra in my Capitol office at 319.2042 should any questions arise.

Cordially,

PAUL KORETZ, Assembly Member  
Forty-second District

February 27, 2002

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

Dear Mr. Speaker: Per our conversation on Tuesday, February 26, 2002 I've committed to you that I will be among the other members to check in on Monday, March 4, 2002. However in turn I will need to be excused from session on Thursday, March 7, 2002 due to the fact that I have been invited by the Consul-General Jose L. Soberanes on behalf of President Vicente Fox to attend the International Women's Day Celebration in Mexico City, Mexico.

If you have any questions regarding this request please contact my Chief of Staff, Adriana Ruelas at (916) 319-2031.

Thank you for your consideration.

Sincerely,

SARAH REYES, Assembly Member  
Thirty-first District

March 7, 2002

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

Dear Speaker Wesson,

I respectfully request permission to be excused from Session on Thursday, March 7, 2002, as I will be meeting with constituents in my district regarding legislative maritime issues.

Should you have any questions, please do not hesitate to contact my office.

Sincerely,

KEVIN SHELLEY, Assembly Member  
Twelfth District

February 25, 2002

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

Dear Speaker Wesson,

This is a request to be excused from Session on Thursday, March 7, 2002. I have legislative business in the district.

Thank you for your consideration of this request.

Sincerely,

S. JOSEPH SIMITIAN  
Twenty-first District

**COMMUNICATIONS**

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

**Explanation of Absence—March 4, 2002**

March 7, 2002

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

Dear Mr. Speaker: This is to request that the Assembly Journal record be corrected to reflect that I was absent on Monday, March 4th on personal business, waiving per diem.

Thank you for your consideration of this request. Should you have any questions please contact Dagny Bruce of my staff at 319-2053.

Sincerely,

GEORGE NAKANO, Assembly Member  
Fifty-third District

**Explanation of Absence—March 4, 2002**

March 7, 2002

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

Dear Mr. Speaker: I respectfully request that the Assembly Journal record be corrected to reflect that I was absent on Monday, March 4th on personal business, waiving per diem.

Thank you for your consideration of this request.

Sincerely,

CHRISTINE KEHOE, Assembly Member  
Seventy-sixth District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 6, 2002

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

Assembly Concurrent Resolution No. 130

Assembly Concurrent Resolution No. 145

Assembly Concurrent Resolution No. 153

And reports the same correctly enrolled, and presented to the Secretary of State on the 6th day of March, 2002, at 2:15 p.m.

E. DOTSON WILSON, Chief Clerk

Assembly Chamber, March 7, 2002

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

Assembly Bill No. 1791

Assembly Bill No. 1813

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

**INTRODUCTION AND FIRST READING OF  
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 3022—Special Committee on Assembly Legislative Ethics (Negrete McLeod (Democratic Co-Chair) Kelley (Republican Co-Chair), Cardoza, Robert Pacheco, and Steinberg).** An act to amend Sections 11146 and 11146.3 of the Government Code, relating to state agencies.

**ASSEMBLY BILL NO. 3023—Committee on Insurance (Calderon (Chair), Chavez, Diaz, Dutra, Frommer, Havice, Horton, Kehoe, Nakano, and Vargas).** An act to amend Sections 790.05, 790.06, and 790.07 of the Insurance Code, relating to insurance.

**ASSEMBLY BILL NO. 3024—Committee on Transportation (Dutra (Chair), Chu, Firebaugh, Kehoe, Liu, Longville, Nakano, Oropeza, Strom-Martin, and Vargas).** An act to amend Sections 8057, 8058, 8201, 9255, 11803, 12810, 13353.3, 23249, and 34631 of the Vehicle Code, relating to vehicles.

**ASSEMBLY BILL NO. 3025—Committee on Transportation (Dutra (Chair), Chu, Firebaugh, Kehoe, Liu, Longville, Nakano, Oropeza, Strom-Martin, and Vargas).** An act to amend Section 10264 of the Public Contract Code, relating to public works, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 3026—Committee on Transportation (Dutra (Chair), Chu, Firebaugh, Kehoe, Liu, Longville, Nakano, Oropeza, Strom-Martin, and Vargas).** An act to amend Section 14553.6 of the Government Code, relating to transportation.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 165—Maldonado.** Relative to California Agriculture Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 166—Mountjoy (Coauthors: Bogh, John Campbell, Chavez, Cogdill, Cox, Dickerson, Goldberg, Hollingsworth, Jackson, Kelley, La Suer, Leach, Leonard, Maddox, Maldonado, Oropeza, Robert Pacheco, Pescetti, Richman, Salinas, Strom-Martin, Thomson, Vargas, and Wyland).** Relative to Work Zone Awareness Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 167—Florez.** Relative to Cesar E. Chavez.

**HOUSE RESOLUTION NO. 39—Salinas.** Relative to the Week of the Migrant Child.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly**Bill No.**Committee*

<b>1850</b>	-----	V.A.
<b>1881</b>	-----	U. & C. and Nat. Res.
<b>1914</b>	-----	Health
<b>1921</b>	-----	B. & P. and Health
<b>1934</b>	-----	U. & C. and L. & E.
<b>1943</b>	-----	B. & P. and Health
<b>1950</b>	-----	Jud. and P.E.,R. & S.S.
<b>1982</b>	-----	Ins.
<b>2008</b>	-----	Ins.
<b>2019</b>	-----	Jud.
<b>2020</b>	-----	B. & P. and Health
<b>2045</b>	-----	B. & P. and Health
<b>2055</b>	-----	Jud. and Pub. S.
<b>2073</b>	-----	Rev. & Tax.
<b>2089</b>	-----	V.A.
<b>2090</b>	-----	V.A.
<b>2115</b>	-----	Higher Ed. and Ed.
<b>2157</b>	-----	B. & F. and Jud.
<b>2165</b>	-----	B. & P. and Health
<b>2190</b>	-----	W.,P. & W.
<b>2196</b>	-----	B. & P. and Health
<b>2218</b>	-----	A.,E.,S.,T. & I.M.
<b>2268</b>	-----	P.E.,R. & S.S.
<b>2298</b>	-----	H. & C.D. and Jud.
<b>2299</b>	-----	Trans.
<b>2300</b>	-----	Pub. S.
<b>2303</b>	-----	Trans.
<b>2304</b>	-----	Rev. & Tax.
<b>2305</b>	-----	Health
<b>2307</b>	-----	U. & C.
<b>2310</b>	-----	Ed.
<b>2311</b>	-----	Hum. S.
<b>2312</b>	-----	Nat. Res.
<b>2313</b>	-----	J., E.D. & E.
<b>2314</b>	-----	Health
<b>2315</b>	-----	B. & P.
<b>2316</b>	-----	Health
<b>2317</b>	-----	Health
<b>2319</b>	-----	L. & E.
<b>2322</b>	-----	W.,P. & W.
<b>2326</b>	-----	Ed.
<b>2327</b>	-----	E.S. & T.M.
<b>2329</b>	-----	Jud.
<b>2330</b>	-----	Jud.
<b>2333</b>	-----	Trans.
<b>2335</b>	-----	G.O. and E.S. & T.M.
<b>2336</b>	-----	Pub. S.
<b>2338</b>	-----	G.O.
<b>2339</b>	-----	Pub. S.

2340	-----	Pub. S.
2341	-----	Nat. Res.
2342	-----	J., E.D. & E.
2345	-----	L. Gov.
2346	-----	Pub. S.
2347	-----	Ed.
2349	-----	Trans.
2352	-----	Health
2354	-----	Ins.
2356	-----	Nat. Res.
2357	-----	B. & P.
2358	-----	Rev. & Tax.
2360	-----	Trans.
2364	-----	Health
2366	-----	E.,R. & C.A.
2367	-----	P.E.,R. & S.S.
2369	-----	Trans.
2373	-----	B. & F. and Pub. S.
2374	-----	P.E.,R. & S.S.
2375	-----	Pub. S.
2376	-----	W.,P. & W.
2377	-----	E.S. & T.M.
2378	-----	B. & P.
2382	-----	H. & C.D. and Jud.
2383	-----	U. & C.
2386	-----	Hum. S.
2387	-----	Nat. Res.
2389	-----	Trans.
2390	-----	Agri.
2391	-----	Trans.
2392	-----	G.O.
2393	-----	G.O.
2394	-----	Pub. S.
2395	-----	Ed.
2396	-----	B. & P.
2398	-----	Higher Ed.
2399	-----	G.O.
2402	-----	Trans.
2403	-----	Ed.
2404	-----	Health
2405	-----	Ed.
2406	-----	G.O.
2407	-----	Pub. S.
2409	-----	G.O.
2411	-----	B. & P.
2412	-----	L. & E. and Jud.
2413	-----	G.O.
2414	-----	Rev. & Tax.
2415	-----	Hum. S.
2416	-----	Hum. S.
2419	-----	U. & C.
2420	-----	Health
2422	-----	Health
2423	-----	Health



2424	-----	Ed.
2428	-----	V.A.
2430	-----	P.E.,R. & S.S.
2431	-----	G.O.
2434	-----	Health
2435	-----	Pub. S.
2436	-----	E.S. & T.M.
2438	-----	P.E.,R. & S.S.
2439	-----	L. Gov. and Trans.
2440	-----	Trans.
2442	-----	Pub. S.
2444	-----	Ed.
2447	-----	Health
2449	-----	B. & P.
2451	-----	P.E.,R. & S.S.
2453	-----	Hum. S.
2459	-----	B. & P. and Health
2462	-----	Pub. S.
2464	-----	Health
2465	-----	U. & C.
2466	-----	Ed.
2467	-----	U. & C.
2468	-----	Hum. S.
2469	-----	W.,P. & W.
2470	-----	Jud.
2475	-----	Budget
2481	-----	E.S. & T.M.
2483	-----	Pub. S.
2487	-----	Rev. & Tax.
2489	-----	Hum. S.
2490	-----	U. & C.
2491	-----	Health
2492	-----	Ins.
2494	-----	Higher Ed.
2495	-----	H. & C.D.
2496	-----	Pub. S.
2497	-----	Higher Ed.
2499	-----	Pub. S.
2500	-----	Jud.
2502	-----	G.O.
2503	-----	Ed.
2504	-----	Jud.
2509	-----	L. & E.
2510	-----	Health
2512	-----	Ed.
2513	-----	Pub. S.
2514	-----	Health
2516	-----	Pub. S.
2517	-----	Jud.
2519	-----	B. & F.
2521	-----	Trans.
2523	-----	U. & C.
2524	-----	Jud.
2526	-----	Pub. S.

2527	-----	Higher Ed.
2530	-----	Rev. & Tax.
2532	-----	Ed.
2533	-----	Higher Ed.
2535	-----	Trans.
2536	-----	Higher Ed.
2539	-----	Pub. S.
2540	-----	Ed.
2542	-----	Pub. S.
2543	-----	J., E.D. & E.
2544	-----	B. & P.
2547	-----	Ed.
2551	-----	Health
2552	-----	Aging & L.T.C.
2554	-----	G.O.
2556	-----	Ed.
2557	-----	Rev. & Tax.
2558	-----	Ed.
2559	-----	V.A.
2560	-----	Rev. & Tax.
2561	-----	L. Gov. and Trans.
2562	-----	J., E.D. & E. and Rev. & Tax.
2563	-----	Pub. S.
2566	-----	Ed.
2567	-----	B. & P.
2568	-----	B. & P.
2570	-----	Agri.
2573	-----	B. & F.
2574	-----	Jud. and A.,E.,S.,T. & I.M.
2575	-----	Ed.
2577	-----	G.O.
2578	-----	Jud.
2579	-----	Jud.
2580	-----	Pub. S.
2581	-----	Pub. S.
2582	-----	Trans.
2584	-----	Agri.
2585	-----	Ed.
2588	-----	Ed.
2590	-----	L. & E.
2591	-----	Pub. S.
2592	-----	Trans.
2593	-----	Ed.
2594	-----	E.,R. & C.A.
2595	-----	Trans.
2596	-----	E.,R. & C.A.
2597	-----	E.,R. & C.A.
2598	-----	E.,R. & C.A.
2599	-----	G.O.
2600	-----	Ed.
2605	-----	W.,P. & W.
2607	-----	Ed.
2614	-----	Ed.
2616	-----	Higher Ed.

2618	-----	Higher Ed.
2619	-----	G.O.
2621	-----	Health
2623	-----	Pub. S. and Trans.
2624	-----	Trans.
2625	-----	Ed.
2628	-----	Ed.
2630	-----	Rev. & Tax.
2633	-----	Higher Ed.
2636	-----	Rev. & Tax.
2639	-----	Rev. & Tax.
2640	-----	Rev. & Tax.
2641	-----	L. Gov.
2642	-----	E.,R. & C.A.
2645	-----	L. Gov.
2646	-----	P.E.,R. & S.S.
2649	-----	V.A.
2651	-----	Hum. S.
2653	-----	Pub. S.
2654	-----	Pub. S.
2656	-----	Jud.
2657	-----	Higher Ed.
2659	-----	Pub. S.
2661	-----	Pub. S.
2662	-----	Rev. & Tax.
2664	-----	Rev. & Tax.
2665	-----	E.,R. & C.A.
2668	-----	Ed.
2669	-----	U. & C.
2670	-----	Rev. & Tax.
2671	-----	P.E.,R. & S.S.
2672	-----	Pub. S.
2673	-----	Pub. S.
2674	-----	Health
2675	-----	Ed.
2676	-----	Ed.
2678	-----	P.E.,R. & S.S.
2680	-----	Rev. & Tax.

*Assembly Concurrent*

<i>Resolution No.</i>	<i>Committee</i>	
154	-----	Jud.
155	-----	Rls.
156	-----	Trans.
158	-----	Ed.
160	-----	Rls.
161	-----	Rls.
162	-----	Rls.
163	-----	Rls.
164	-----	Rls.

*Assembly Joint  
Resolution No.*

*Committee*

- 34** ----- V.A.
- 35** ----- J., E.D. & E.
- 36** ----- L. & E.
- 37** ----- A.,E.,S.,T. & I.M.
- 38** ----- Agri.
- 39** ----- Trans.

*Senate  
Bill No.*

*Committee*

- 564** ----- B. & P. and Health
- 1095** ----- Hum. S.

**AUTHOR'S AMENDMENTS  
Committee on Public Safety**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Public Safety reports:

- Assembly Bill No. 1812
- Assembly Bill No. 1838
- Assembly Bill No. 1877

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

WASHINGTON, Chairman

**ASSEMBLY BILL NO. 1812**—An act relating to criminal information, and making an appropriation therefor.

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. 1838**—An act to amend Sections 189, 667.5, 1192.7, 11417, 11418, 11418.5, and 11419 of, and to add Section 11418.1 to, the Penal Code, relating to weapons of mass destruction, and declaring the urgency thereof, to take effect immediately.

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. 1877**—An act to amend and renumber Section 531 of the Military and Veterans Code, and to amend Sections 731.3 and 796 of the Welfare and Institutions Code, relating to minors.

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.

**AUTHOR'S AMENDMENTS  
Committee on Education**

March 7, 2002

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

- Assembly Bill No. 1848

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

STROM-MARTIN, Chairwoman

**ASSEMBLY BILL NO. 1848**—An act to add Section 54204 to the Education Code, relating to school desegregation.

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.

**AUTHOR'S AMENDMENTS**  
**Committee on Public Safety**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 1790  
Assembly Bill No. 1855

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

WASHINGTON, Chairman

**ASSEMBLY BILL NO. 1790**—An act to amend Sections 667 and 1170.12 of the Penal Code, relating to sentencing.

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. 1855**—An act to amend Section 11105.3 of the Penal Code, relating to criminal history information.

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.

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Judiciary reports:  
Assembly Bill No. 1821

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 1821**—An act to add Section 1714.11 to the Civil Code, relating to civil liability.

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.

**AUTHOR'S AMENDMENTS**  
**Committee on Education**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Education reports:  
Senate Bill No. 276

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

STROM-MARTIN, Chairwoman

**SENATE BILL NO. 276**—An act to add Section 48217 to the Education Code, relating to health care.

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.

**AUTHOR'S AMENDMENTS****Committee on Public Employees, Retirement and Social Security**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Public Employees, Retirement and Social Security reports:

Assembly Concurrent Resolution No. 55

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

HAVICE, Chairwoman

**ASSEMBLY CONCURRENT RESOLUTION NO. 55**—Relative to HIV and AIDS drug treatments.

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

**AUTHOR'S AMENDMENTS****Committee on Banking and Finance**

March 7, 2002

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1875

Assembly Bill No. 1876

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

PAPAN, Chairman

**ASSEMBLY BILL NO. 1875**—An act to add Section 1900.5 to the Corporations Code, relating to corporations.

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. 1876**—An act to add Section 4002 to the Financial Code, relating to unsolicited checks.

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.

**AUTHOR'S AMENDMENTS****Committee on Rules**

March 7, 2002

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

Assembly Concurrent Resolution No. 146

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

CARDOZA, Chairman

**ASSEMBLY CONCURRENT RESOLUTION NO. 146**—Relative to California Police and Fire Games.

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: March 7, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 131

Assembly Concurrent Resolution No. 132

Assembly Concurrent Resolution No. 162

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolutions ordered to third reading.

Date of Hearing: March 7, 2002

Mr. Speaker: Your Committee on Rules reports:

Assembly Concurrent Resolution No. 164

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolution ordered to third reading.

**SPECIAL COMMITTEE MEETINGS**

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

Assembly Select Committee on California Children's School Readiness and Health to convene jointly with Assembly and Senate Education Committees and the Senate Select Committee on Family, Child and Youth Development, on March 11, 2002, at 2 p.m., or upon adjournment of Floor session;

Joint Legislative Sunset Review, on April 2, 2002 and April 10, 2002, at 9 a.m.;

Governmental Organization on March 14, 2002, upon adjournment of Floor session.

**ADJOURN IN MEMORY**

Assembly Members Bill Campbell, Maddox, Bates, John Campbell, Correa, Harman, and Daucher were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Gary Granville, of Orange, and that the following statement be printed in the Journal.

(Assembly Rule 45.5 suspended.)

*Memorial Statement*  
*Gary Granville*

Gary Granville died last Thursday of a heart attack. He was 72. Gary ran his own machine shop in Orange for 20 years. But at the age of 40, with three daughters at home, he earned a degree in Journalism from California State Fullerton to fulfill a lifelong dream to be a writer. He worked at the *Fullerton News Tribune* and then joined the *Daily Pilot*. As a reporter he earned the praise and respect of his colleagues and earned many awards for his outstanding work.

He received an appointment as county clerk in 1985 and remained in that position until 1994. In 1993 he encouraged the Board of Supervisors to eliminate the clerk of the court's office, including his own job, a move that saved taxpayers approximately \$750,000. In 1994 he ran for the combined office of clerk-recorder. He won the election and remained in office until his death.

He was well known throughout Orange County for his work, but even more impressive was the kind of person he was and his charitable nature. As the county's commissioner of weddings, Gary performed over one hundred weddings a year for the past 5 years, and performed as many as 5 weddings a day. He donated his fees, which totaled over the years to more than \$25,000 to charity. He also used his lunch hours to volunteer his time to teach reading to troubled teens.

On a personal note, after I learned that we Legislators could marry people, I called Gary's office to learn what needed to be done. He personally came to my office to swear me in and to tell me how to give advice to couples.

Gary Granville is survived by his wife Joanne, his three daughters and his eight grandchildren.

The Citizens of Orange County have lost a fine public servant. Our prayers are with him and his family.

**ADJOURN IN MEMORY**

Assembly Member Pavley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Daniel Pearl, of Bombay.

(Assembly Rule 45.5 suspended.)

**REQUEST FOR PHOTOGRAPHER**

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



**ACTION RESCINDED ON SENATE BILL NO. 796**

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby the Assembly, on August 20, 2001 (Assembly Journal, page 3089), passed Senate Bill No. 796, and whereby the bill was ordered transmitted to the Senate.

**ACTION RESCINDED ON SENATE BILL NO. 823**

Assembly Member Firebaugh was granted unanimous consent to rescind the action whereby the Assembly, on February 28, 2002 (Assembly Journal, page 5033), passed Senate Bill No. 823, and whereby the bill was ordered transmitted to the Senate.

**ADJOURN IN MEMORY**

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Neil Roberts, of Woodland.

(Assembly Rule 45.5 suspended.)

**CONSIDERATION OF DAILY FILE****SENATE BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Senate bill was this day on the second reading file:

**Senate Bill No. 617**, ordered to third reading.

**UNFINISHED BUSINESS****MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Assembly Bill No. 1543 and Senate Bills Nos. 773 and 510 were continued until the next legislative day.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY CONCURRENT RESOLUTION NO. 139 (Wayne)**—Relative to Colorectal Cancer Awareness Month.

Resolution read.

**Members Made Coauthors of****Assembly Concurrent Resolution No. 139**

Assembly Member Wayne was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 139.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Alquist, Aroner, Ashburn, Bates, Bogh, Briggs, Bill Campbell, John Campbell, Canciamilla, Cardenas, Cardoza, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Dickerson, Dutra, Firebaugh, Florez, Frommer, Harman, Hollingsworth, Horton, Jackson, Keeley, Kehoe, Kelley, La Suer, Leach, Leonard, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Pescetti, Salinas, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wesson, Wiggins, Wright, Wyland, and Wyman.

**Request for Unanimous Consent**

Assembly Member Wayne was granted unanimous consent to take up Assembly Concurrent Resolution No. 139, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 139, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 139**—Relative to Colorectal Cancer Awareness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**RECESS**

By unanimous consent, at 11:25 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of a special guest.

Assembly Member Wayne introduced Lisa Dubow and presented a resolution commending her many activities and exemplary record of community service in promoting cancer awareness.

**RECONVENED**

At 11:27 a.m., the Assembly reconvened.

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

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 141 (Wayne)**—Relative to California Holocaust Memorial Week.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 141**

Assembly Member Wayne was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 141.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

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

**Request for Unanimous Consent**

Assembly Member Wayne was granted unanimous consent to take up Assembly Concurrent Resolution No. 141, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 141, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 141**—Relative to California Holocaust Memorial Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 138 (Papan)**—Relative to Greek Independence Day.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 138**

Assembly Member Papan was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 138.

**Roll Call**

The following Assembly Members indicated a desire to become coauthors:

Aanestad, Aroner, Bates, Bogh, Briggs, John Campbell, Canciamilla, Cardenas, Cardoza, Chan, Chavez, Chu, Cogdill, Cohn, Corbett, Correa, Cox, Daucher, Dickerson, Dutra, Firebaugh, Florez, Frommer, Goldberg, Harman, Hertzberg, Hollingsworth, Horton, Jackson, Keeley, Kehoe, Kelley, La Suer, Leach, Leonard, Leslie, Longville, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Pavley, Pescetti, Richman, Runner, Salinas, Steinberg, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wesson, Wright, Wyland, and Wyman.

**Request for Unanimous Consent**

Assembly Member Papan was granted unanimous consent to take up Assembly Concurrent Resolution No. 138, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 138, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 138**—Relative to Greek Independence Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**THIRD READING OF SENATE BILLS (RESUMED)**

**SENATE BILL NO. 469 (Alpert)**—An act to amend Section 13246 of, and to add Section 13191.3 to, the Water Code, relating to water, and declaring the urgency thereof, to take effect immediately.

Bill read third time, and presented by Assembly Member Kehoe.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—62**

Aanestad	Cox	La Suer	Pescetti
Alquist	Daucher	Leonard	Richman
Aroner	Dickerson	Leslie	Runner
Ashburn	Dutra	Longville	Salinas
Bates	Firebaugh	Lowenthal	Strom-Martin
Bogh	Florez	Maddox	Thomson
Briggs	Frommer	Maldonado	Vargas
Campbell, John	Goldberg	Matthews	Washington
Canciamilla	Harman	Migden	Wayne
Cardoza	Hertzberg	Mountjoy	Wiggins
Chan	Hollingsworth	Nakano	Wright
Chavez	Horton	Nation	Wyland
Chu	Jackson	Negrete McLeod	Wyman
Cogdill	Keeley	Pacheco, Robert	Mr. Speaker
Corbett	Kehoe	Pacheco, Rod	
Correa	Kelley	Papan	

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—62**

Aanestad	Cox	La Suer	Pescetti
Alquist	Daucher	Leonard	Richman
Aroner	Dickerson	Leslie	Runner
Ashburn	Dutra	Longville	Salinas
Bates	Firebaugh	Lowenthal	Strom-Martin
Bogh	Florez	Maddox	Thomson
Briggs	Frommer	Maldonado	Vargas
Campbell, John	Goldberg	Matthews	Washington
Canciamilla	Harman	Migden	Wayne
Cardoza	Hertzberg	Mountjoy	Wiggins
Chan	Hollingsworth	Nakano	Wright
Chavez	Horton	Nation	Wyland
Chu	Jackson	Negrete McLeod	Wyman
Cogdill	Keeley	Pacheco, Robert	Mr. Speaker
Corbett	Kehoe	Pacheco, Rod	
Correa	Kelley	Papan	

**NOES—None**

Bill ordered transmitted to the Senate.

**SENATE BILL NO. 482 (Sher)**—An act to amend Section 4601.1 of the Public Resources Code, relating to forestry.

Bill read third time.

**Motion to Amend**

Assembly Member Aroner moved the adoption of amendments.

Amendments read.

**Roll Call Demanded**

Assembly Members Cogdill, Hollingsworth, and Leonard, demanded a roll call.

The roll was called, and the Aroner amendments adopted by the following vote:

**AYES—26**

Alquist	Firebaugh	Lowenthal	Vargas
Aroner	Frommer	Migden	Washington
Chan	Goldberg	Nation	Wiggins
Chavez	Jackson	Negrete McLeod	Wright
Cohn	Keeley	Salinas	Mr. Speaker
Corbett	Kehoe	Strom-Martin	
Dutra	Longville	Thomson	

**NOES—21**

Aanestad	Cox	Leonard	Runner
Bates	Daucher	Maddox	Wayne
Bogh	Hollingsworth	Mountjoy	Wyland
Briggs	Kelley	Pacheco, Robert	
Campbell, John	La Suer	Pacheco, Rod	
Cogdill	Leach	Pescetti	

Bill ordered reprinted, and to be returned to the third reading file.

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 482, as amended, to the Committee on Water, Parks and Wildlife.

**ADJOURN IN MEMORY**

Assembly Member Ashburn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Martha Tafoya Sandoval, of Bakersfield.

Assembly Member Briggs was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Cleo Maye Hensley, of Fresno.

Assembly Member Chavez was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Kimberly Holloway, of La Puente.

Assembly Member Cox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Clifford A. Roberts, of Rio Linda.

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 Vera Pérez, of Los Angeles and Robert W. Schutrum, of Burbank.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Josefa “Josie” Japzon Ducusin, of San Francisco.

Assembly Member Steinberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Tony Castillo, of Sacramento.

Assembly Member Strickland was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jason Cunningham and Dale V. Wortman, of Camarillo.

Assembly Member Thomson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Warren Harding, of Happy Valley, and James English, of Benicia.

Assembly Member Wright was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of John Davis Belmon “John D”, of Los Angeles.

#### **VOTE ADDS**

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

**Senate Bill No. 469 and Urgency:** Briggs, Correa, Rod Pacheco, and Wyland—Aye.

**Senate Bill No. 482, Aroner Amendments:** Frommer and Nation—Aye; Briggs, Cox, and Wayne—No.

#### **MOTION TO ADJOURN**

At 11:42 a.m., Assembly Member Firebaugh moved that the Assembly do now adjourn.

Assembly Member Leonard seconded the motion.

Motion carried.

#### **QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 11:43 a.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Firebaugh, the Assembly adjourned until 11 a.m., Monday, March 11, 2002, out of respect to the memory of Martha Tafoya Sandoval, on motion of Assembly Member Ashburn; out of respect to the memory of Cleo Maye Hensley, on motion of Assembly Member Briggs; out of respect to the memory of Kimberly Holloway, on motion of Assembly Member Chavez; out of respect to the memory of Clifford A. Roberts, on motion of Assembly Member Cox; out of respect to the memory of Vera Pérez and Robert W. Schutrum, on motion of Assembly Member Frommer; out of respect to the memory of Josefa "Josie" Japzon Ducusin, on motion of Assembly Member Migden; out of respect to the memory of Tony Castillo, on motion of Assembly Member Steinberg; out of respect to the memory of Jason Cunningham and Dale V. Wortman, on motion of Assembly Member Strickland; out of respect to the memory of James English and Warren Harding, on motion of Assembly Member Thomson; out of respect to the memory of John Davis Belmon "John D", on motion of Assembly Member Wright; out of respect to the memory of Gary Granville, on motion of Assembly Members Bill Campbell, Maddox, John Campbell, Harman, Bates, Correa, and Daucher; out of respect to the memory of Daniel Pearl, on motion of Assembly Member Pavley; and out of respect to the memory of Neil Roberts on motion of Assembly Member Thomson.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 7, 2002**

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

**AB RN**

1790	0205904
1812	0205875
1821	0205911
1838	0206013
1848	0205700
1855	0205722
1875	0205766
1876	0205915
1877	0205687

**ACR RN**

55	0205937
146	0205399

**SB RN**

276	0205959
482	0205884

<b>Daily Total:</b>	<b>13</b>
<b>Cumulative Total:</b>	<b>3481</b>

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