

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 13, 2002

**ONE HUNDRED SIXTY-FOURTH SESSION DAY
FOUR HUNDRED SIXTY-FIFTH 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
Wednesday, March 13, 2002

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—74:

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

Quorum present.

At 11:20 a.m., Hon. Sam Aanestad, 3rd 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 Corbett, Diaz, Papan, and Shelley.

On legislative business, and waiving per diem: Assembly Member Cardenas.

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

EXPLANATIONS OF ABSENCE

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

March 11, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-In Session on Wednesday, March 13, 2002, waiving per diem, in order to conduct legislative business in my district.

Thank you for your consideration of this request.

Sincerely,

TONY CÁRDENAS, Assembly Member
Thirty-ninth District

March 7, 2002

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

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday, March 13, 2002. I have business to attend to in the district.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

March 13, 2002

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

Dear Mr. Speaker: The purpose of this letter is to respectfully request permission to be excused from session on Wednesday, March 13, 2002. I have legislative business to tend to in my district.

Your consideration of this matter is greatly appreciated. If you have any question please do not hesitate to phone my chief of staff, Sandra Pizarro at 916.319.2023.

Sincerely,

MANNY DIAZ, Assembly Member
Twenty-third District

March 12, 2002

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

Dear Speaker Wesson,

I respectfully request to be excused from check-in session on Wednesday, March 13, 2002. I will be attending a luncheon with constituents from my district to discuss their legislative issues for 2002.

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

Sincerely,

KEVIN SHELLEY, Assembly Member
Twelfth District

(NOTE: For letter explaining the absence of Assembly Member Papan on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 11, 2002.)

COMMUNICATIONS

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

March 12, 2002

*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 Assemblymember Carol Liu to fill the vacancy on the Joint Committee to Develop a Master Plan for Education—Kindergarten through University.

Sincerely,

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

March 13, 2002

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

Dear Dotson: Please be advised that I have set the following schedule for regular meetings of the Assembly Arts, Entertainment, Sports, Tourism and Internet Media Committee and the Assembly Veterans Affairs Committee:

Arts, Entertainment, Sports, Tourism and Internet Media Committee
Second and Fourth Tuesdays 9:00 a.m. Room 4202

Veterans Affairs Committee
Second and Fourth Tuesdays 4:00 p.m. Room 126

Sincerely,

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

SPECIAL COMMITTEE MEETINGS

By unanimous consent, the following committee was permitted to meet:

Aging and Long-Term Care to convene jointly with Senate Subcommittee on Aging, on March 19, 2002, at 3 p.m.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 13, 2002

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

Assembly Bill No. 1778

Assembly Bill No. 1847

Assembly Bill No. 1836

Assembly Bill No. 1892

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills ordered to the Consent Calendar.

**INTRODUCTION AND FIRST READING OF
ASSEMBLY BILLS**

The following bills were introduced and read the first time:

ASSEMBLY BILL NO. 3041—Committee on Natural Resources (Wayne (Chair), Dickerson, Harman, Jackson, Keeley, Koretz, Lowenthal, Pavley, and Wyman). An act to amend Sections 21082.1, 21083, and 21091 of the Public Resources Code, relating to environmental quality.

ASSEMBLY BILL NO. 3042—Committee on Natural Resources (Wayne (Chair), Hollingsworth (Vice Chair), Dickerson, Harman, Jackson, Keeley, Lowenthal, Migden, and Pavley). An act to amend Section 66907.7 of the Government Code, relating to public resources.

ASSEMBLY BILL NO. 3043—Committee on Higher Education (Alquist (Chair), Bogh (Vice Chair), Havice, Jackson, Liu, Lowenthal, Matthews, Negrete McLeod, and Robert Pacheco). An act to add Article 5 (commencing with Section 76068) to Chapter 1 of Part 47 of Division 7 of the Education Code, relating to community colleges, and making an appropriation therefor.

ASSEMBLY BILL NO. 3044—Committee on Higher Education (Alquist (Chair), Bogh (Vice Chair), Havice, Jackson, Liu, Matthews, Negrete McLeod, Robert Pacheco, and Wyman). An act to add Section 92440.5 to the Education Code, relating to the University of California.

ASSEMBLY BILL NO. 3045—Committee on Higher Education (Alquist (Chair), Bogh (Vice Chair), Havice, Jackson, Liu, Matthews, Negrete McLeod, Robert Pacheco, and Wyman). An act to amend Sections 69980, 69982, 69983, 69985, 69986, and 69990 of the Education Code, relating to the Golden State Scholarshare Trust.

ASSEMBLY BILL NO. 3046—Committee on Higher Education (Alquist (Chair), Bogh (Vice Chair), Havice, Jackson, Liu, Lowenthal, Matthews, Negrete McLeod, Robert Pacheco, and Wyman). An act to amend Section 53094 of the Government Code, relating to zoning.

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 169—Aroner. Relative to California youth.

ASSEMBLY CONCURRENT RESOLUTION NO. 170—Zettel (Principal coauthor: Senator Baffin) (Coauthors: Briggs, Bill Campbell, John Campbell, Chu, Florez, La Suer, Leach, Maldonado, Matthews, Nation, Oropeza, Rod Pacheco, Richman, Runner, Strom-Martin, Wiggins, and Wyman) (Coauthors: Senators Escutia, McPherson, and Vincent). Relative to Indian gaming.

ASSEMBLY JOINT RESOLUTION NO. 42—Calderon. Relative to federal proposal to devolve the administration of the unemployment insurance system.

AUTHOR'S AMENDMENTS
Committee on Transportation

March 13, 2002

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

Assembly Bill No. 1915

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

DUTRA, Chairman

ASSEMBLY BILL NO. 1915—An act to add Section 4467 to the Vehicle Code, relating to vehicles.

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 Insurance

March 13, 2002

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

Senate Bill No. 1156

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

CALDERON, Chairman

SENATE BILL NO. 1156—An act to amend Sections 1871, 1872.83, 11721, 11734, 11737, 11770, 11783, 11784, 11785, 11786, 11787, 11820, 11822, and 11860 of, to add Section 11771.5 to, and to repeal Section 11823 of, the Insurance Code, to amend Sections 62.6, 75, 77, 78, 90.5, 110, 123.3, 123.5, 123.6, 124, 127, 129, 129.5, 133, 138, 138.1, 138.2, 138.4, 139, 139.6, 3501, 3550, 3551, 3722, 3762, 3820, 4061, 4062, 4658, 4659, 4702, 4703.5, 5275, 5305, 5307, 5310, 5311.5, 5401, 5405, 5500.3, 5502, and 6354.5 of, to add Sections 90.3, 118, 127.5, 139.07, 3822, 4600.1, 4600.2, 5307.2, 5307.21, and 6354.7 to, and to repeal Sections 139.05, 3552, and 4065 of the Labor Code, relating to workers' compensation.

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 Elections, Reapportionment and Constitutional Amendments

March 13, 2002

Mr. Speaker: The Chair of your Committee on Elections, Reapportionment and Constitutional Amendments reports:

Assembly Bill No. 1797

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

LONGVILLE, Chairman

ASSEMBLY BILL NO. 1797—An act to add Section 87105 to the Government Code, relating to the Political Reform Act of 1974.

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 13, 2002

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

Senate Bill No. 1024

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

HAVICE, Chairwoman

SENATE BILL NO. 1024—An act to add Article 11.5 (commencing with Section 31770) to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to public employees, 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.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1917—An act to add Section 12027.2 to the Penal Code, relating to peace officers, and declaring the urgency thereof, to take effect immediately.

Bill read second time; amendments proposed by the Committee on Public Safety read and adopted, bill ordered reprinted and to be returned to the second reading file.

SECOND READING OF SENATE BILLS

SENATE BILL NO. 836—An act to amend Section 290 of the Penal Code, relating to sex offenders, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 14, 2002.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 13, 2002**

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

AB RN

1797 0205878

1915 0206186

1917 0205962

SB RN

1024 0206164

1156 0201650

Daily Total: 5

Cumulative Total: 3496

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