

CALIFORNIA LEGISLATURE  
1999-2000 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Tuesday, March 14, 2000**

**ONE HUNDRED FORTY-SEVENTH SESSION DAY  
FOUR HUNDRED SIXTY-FOURTH 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  
Tuesday, March 14, 2000

The Assembly met at 7 a.m.

Hon. Gloria Romero, Assembly Member, 49th 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—75:

Aanestad	Davis	Lempert	Romero
Ackerman	Dickerson	Leonard	Runner
Alquist	Ducheny	Longville	Scott
Aroner	Dutra	Lowenthal	Shelley
Ashburn	Firebaugh	Machado	Steinberg
Baldwin	Florez	Maddox	Strickland
Bates	Floyd	Maldonado	Strom-Martin
Battin	Frusetta	Margett	Thompson
Baugh	Gallegos	Mazzoni	Thomson
Brewer	Granlund	McClintock	Torlakson
Calderon	Havice	Migden	Washington
Campbell	Hertzberg	Nakano	Wayne
Cardenas	Honda	Olberg	Wesson
Cardoza	House	Oller	Wiggins
Cedillo	Jackson	Pacheco, Robert	Wildman
Corbett	Kaloogian	Pacheco, Rod	Wright
Correa	Keeley	Papan	Zettl
Cox	Kuehl	Pescetti	Mr. Speaker
Cunneen	Kuehl	Reyes	

Quorum present.

**At 2 p.m., Hon. Alan Lowenthal, 54th 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 Bock and Briggs.*

*Because of illness: Assembly Member Vincent.*

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

**EXPLANATIONS OF ABSENCE**

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

March 14, 2000

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

Dear Mr. Speaker: I respectfully request permission to be excused from check-in session on Tuesday, March 14, 2000, due to legislative business in my district.

Thank you in advance for your consideration of this request.

Sincerely,

AUDIE ELIZABETH BOCK, Assembly Member  
Sixteenth District

March 14, 2000

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

Dear Mr. Speaker,

By mistake, I requested only to be excused from session Thursday March 16, 2000. I have legislative business to attend to Tuesday March 14, 2000 through Friday March 17, 2000. Therefore, I am respectfully requesting to be excused from session Tuesday, Wednesday and Thursday.

Thank you for your consideration. Please contact my staff or me with any questions at 916-319-2029.

Sincerely,

MIKE BRIGGS, Assembly Member  
Twenty-ninth District

**COMMUNICATIONS**

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

March 14, 2000

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

Dear Dotson: Please be advised that I have appointed Assemblymember Jim Battin as Vice-Chair of Public Safety Committee for today's hearing only.

Sincerely,

ANTONIO R. VILLARAIGOSA  
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

99111

February 10, 2000

*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 our review of the Department of Rehabilitation's (department) administration of California's Vocational Rehabilitation Program (program).

The report concludes that, although federal requirements have contributed to its rising costs, the department has failed to manage certain aspects of its program adequately. Specifically, the department does not track the cumulative costs of its cases and sometimes spends far beyond what is reasonable. Additionally, it does not always promptly close expensive, unsuccessful cases. Further, the department does not fully use its existing management tools to monitor the program. Finally, the department's current method for evaluating the severity of clients' disabilities favors clients with learning and certain learning disabilities.

Respectfully submitted,

MARY P. NOBLE  
Acting State Auditor

Above report referred to the Committee on Health.

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The following reports were presented by the Chief Clerk:

**California Environmental Protection Agency's  
Integrated Waste Management Board's Report on  
the Recycling Market Development Revolving Loan Program  
(Pursuant to the 1998 Budget Act, Item 3910-001-0281)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated January 11, 2000, referred by the Speaker to the Committee on Budget.

**California Environmental Protection Agency's  
Office of Environmental Health Assessment's Annual Report of  
the Disabled Veteran Business Enterprise Contract Publication  
(Pursuant to Public Contract Code Section 10115.5)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated February 14, 2000, referred by the Speaker to the Committee on Utilities and Commerce.

**California Environmental Protection Agency's  
Integrated Waste Management Board's Report on  
the Allocation for Tire Recycling and Market Development  
(Pursuant to the 1999 Budget Act, Item 3910-001-0387)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated February 15, 2000, referred by the Speaker to the Committee on Budget.

**California Environmental Protection Agency's  
Office of Environmental Health Hazard Assessment's  
Second Quarterly Report on Goals for Primary Drinking Water Standards  
(Pursuant to the 1999 Budget Act, Item 3980-001-0001)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated February 16, 2000, referred by the Speaker to the Committee on Budget.

**California Environmental Protection Agency's  
Office of Environmental Health Hazard Assessment's  
Second Quarterly Report on Public Health Goals  
(Pursuant to the 1999 Budget Act, Item 3980-001-0001)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated February 16, 2000, referred by the Speaker to the Committee on Budget.

**California Environmental Protection Agency's  
Air Resources Board Quarterly Report on  
the Implementation of Its Fine Particulate Matter Program  
(Pursuant to the 1999 Budget Act)**

Above report, together with letter of transmittal from Winston H. Hickox, Secretary, California Environmental Protection Agency, Sacramento, dated February 18, 2000, referred by the Speaker to the Committee on Budget.

**California Trade and Commerce Agency  
California Environmental Technology Export Program Progress Report  
(Pursuant to the 1999 Budget Act, Item 2920-001-0001)**

Above report, together with letter of transmittal from Lon S. Hatamiya, Secretary, California Trade and Commerce Agency, Sacramento, dated February 8, 2000, referred by the Speaker to the Committee on Budget.

**County of Tulare District Attorney Rural Crime Prevention  
Demonstration Project Report**

Above report, together with letter of transmittal from William Yoshimoto, Supervising Attorney, County of Tulare District Attorney, Tulare, dated February 1, 2000, referred by the Speaker to the Committee on Public Safety.

**Department of Alcoholic Beverage Control  
1998 Annual Report  
(Pursuant to Assembly Bill 432, Chapter 900, Statutes of 1992)**

Above report, together with letter of transmittal from Jay R. Stroh, Director, Department of Alcoholic Beverage Control, Sacramento, dated February 11, 2000, referred by the Speaker to the Committee on Governmental Organization.

**Department of Corrections  
Violent Felon Identification Program, Classification Project  
(Pursuant to the 1999 Budget Act, Item 5240-001-0001)**

Above report, together with letter of transmittal from C.A. Terhune, Director, Department of Corrections, Sacramento, dated February 23, 2000, referred by the Speaker to the Committee on Budget.

**Department of Fish and Game  
Report of Environmental Filing Fees Status Report  
(Pursuant to the 1999 Budget Act, Item 3600-001-0001)**

Above report, together with letter of transmittal from Robert C. Hight, Director, Department of Fish and Game, Sacramento, dated February 4, 2000, referred by the Speaker to the Committee on Budget.

**Department of General Services  
Report of Fire Insurance In Force as of December 31, 2000  
(Pursuant to Government Code Section 11007)**

Above report, together with letter of transmittal from Cliff Allenby, Interim Director, Department of General Services, Sacramento, dated February 4, 2000, referred by the Speaker to the Committee on Consumer Protection, Governmental Efficiency and Economic Development.

**Department of General Services  
Master Plan on the Public Safety Microwave Network  
(Pursuant to the 1999 Budget Act, Item 1760-001-0666)**

Above report, together with letter of transmittal from Cliff Allenby, Interim Director, Department of General Services, Sacramento, dated February 23, 2000, referred by the Speaker to the Committee on Budget.

**Department of Insurance  
Report on Options of Disability Health Insurance Policyholders  
(Pursuant to Insurance Code Section 10123.84)**

Above report, together with letter of transmittal from Steven Suchil, Deputy Commissioner, Policy, Research and Special Projects, Department of Insurance, Sacramento, dated January 26, 2000, referred by the Speaker to the Committee on Insurance.

**Department of Insurance  
Annual Report of Receipts, Expenditures and Activities of  
the Fraud Bureau of the Department of Insurance  
(Pursuant to Insurance Code Section 1872.96)**

Above report, together with letter of transmittal from Steven Suchil, Deputy Commissioner, Policy, Research and Special Projects, Department of Insurance, Sacramento, dated February 8, 2000, referred by the Speaker to the Committee on Insurance.

**Department of Justice  
Report on Unsolved Homicides  
(Pursuant to the 1999 Budget Act, Item 0820-001-0001)**

Above report, together with letter of transmittal from Janet Gaard, Director, Office of Legislative Affairs, Department of Justice, Sacramento, dated February 4, 2000, referred by the Speaker to the Committee on Budget.

**Department of Justice  
Report on Organized Crime in California  
(Pursuant to Government Code Section 15028)**

Above report, together with letter of transmittal from Janet Gaard, Director, Office of Legislative Affairs, Department of Justice, Sacramento, dated February 22, 2000, referred by the Speaker to the Committee on Public Safety.

**Department of Personnel Administration's  
Report on Salaries for Occupations Comparable to  
Selected State Civil Service Positions  
(Pursuant to Government Code Section 19826)**

Above report, together with letter of transmittal from Marty Morgenstern, Director, Department of Personnel Administration, Sacramento, dated February 10, 2000, referred by the Speaker to the Committee on Labor and Employment.

**Department of Pesticide Regulation  
Report on the Pesticide Contamination Prevention Act  
(Pursuant to the Pesticide Contamination Prevention Act)**

Above report, together with letter of transmittal from Paul E. Helliker, Director, Department of Pesticide Regulation, Sacramento, dated January 18, 2000, referred by the Speaker to the Committee on Agriculture.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 14, 2000

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

Assembly Bill No. 1728

Assembly Bill No. 1790

Assembly Bill No. 1831

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 14, 2000

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

Assembly Bill No. 1734

Assembly Bill No. 1822

Assembly Bill No. 2280

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 14, 2000

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

Assembly Constitutional Amendment No. 21

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 14, 2000

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

House Resolution No. 45

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

### SPECIAL COMMITTEE MEETINGS

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

Local Government, on April 12, 2000, at 1:30 p.m., in Room 127 and on May 3, 2000, at 1:30 p.m., in Room 127;

Committee on Information Technology, Joint Informational Hearing with Senate Select Committee on Economic Development and Senate Committee on Energy, Utilities and Communications, on Thursday, April 6, 2000, at 10:30 a.m., or upon adjournment of Session, in Room 437.

### INTRODUCTION AND FIRST READING OF ASSEMBLY BILLS

The following bills were introduced and read the first time:

**ASSEMBLY BILL NO. 2899**—Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel). An act to amend Sections 14087.32, 14087.36, and 14139.53 of the Welfare and Institutions Code, relating to Medi-Cal.

**ASSEMBLY BILL NO. 2900**—Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel). An act to amend Section 12693.90 of the Insurance Code, relating to health care.

**ASSEMBLY BILL NO. 2901**—Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Vincent, Wayne, Wesson, and Zettel). An act relating to Medi-Cal, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2902**—Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel). An act to amend Sections 110480 and 121010 of the Health and Safety Code, relating to public health.

**ASSEMBLY BILL NO. 2903**—Committee on Health (Gallegos (Chair), Bates (Vice Chair), Aanestad, Corbett, Cox, Firebaugh, Kuehl, Runner, Thomson, Vincent, Wayne, Wesson, and Zettel). An act to amend Section 1368.2 of the Health and Safety Code, relating to health care service plans.

**ASSEMBLY BILL NO. 2904**—Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne). An act to add Sections 11629.731 and 11629.931 to the Insurance Code, relating to automobile insurance, and declaring the urgency thereof, to take effect immediately.

**ASSEMBLY BILL NO. 2905**—Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne). An act to amend Section 1823 of the Insurance Code, relating to insurance.

**ASSEMBLY BILL NO. 2906**—Committee on Insurance (Scott (Chair), Calderon, Floyd, Gallegos, Keeley, Washington, and Wayne). An act to amend Section 12419.3 of the Government Code, related to unemployment compensation.

**ASSEMBLY BILL NO. 2907**—Committee on Education (Mazzoni (Chair), Leach (Vice Chair), Alquist, Calderon, Campbell, Correa, Davis, Robert Pacheco, Scott, Washington, and Zettel). An act to amend Sections 8278.3, 48209.9, 51210, and 51220 of, and to repeal Sections 15720, 16098, 16730, 18185, 49581, 52980, 52981, and 52982 of, the Education Code, and to amend Section 104420 of the Health and Safety Code, relating to education, and making an appropriation therefor.

### RESOLUTIONS

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 146**—Hertzberg. Relative to California Nonprofits and Philanthropy Week.



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

March 14, 2000

Mr. Speaker: The Chair of your Committee on Public Safety reports:  
Assembly Bill No. 1868

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

WASHINGTON, Chairman

**ASSEMBLY BILL NO. 1868**—An act to amend Section 11105.03 of the Penal Code, relating to criminal 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 Education**

March 14, 2000

Mr. Speaker: The Chair of your Committee on Education reports:  
Assembly Bill No. 1795

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

MAZZONI, Chairwoman

**ASSEMBLY BILL NO. 1795**—An act to amend Sections 2572, 44903.7, 48902, 48904.3, 48911, 56001, 56026, 56043, 56100, 56129, 56140, 56170, 56171, 56173, 56195.7, 56200, 56207, 56326, 56341.5, 56345, 56347, 56361, 56367, 56425.5, 56426, 56426.1, 56426.25, 56426.3, 56426.4, 56426.6, 56426.7, 56426.8, 56426.9, 56427, 56428, 56429, 56430, 56431, 56432, 56473, 56475, 56600, 56602, 56605, 56606, 56836.01, 56836.23, 56884, 59201, 59203, 59204.5, 59210, 59211, 60061, 60240, and 60313 of, to add Sections 48915.55, 48927, 56026.1, 56170.5, 56174.5, 56174.6, 56304, 56341.1, 56426.10, 56426.35, 56476, 56477, 56478, 56479, 56500.4, 56500.5, 56500.6, 56522, 56600.6, 56600.7, 56600.8, and 56601.1 to, to repeal Sections 48915.6, 56600.5, 56603, 59223 and 62000.8 of, and to repeal and add Sections 48915.5, 56341, 56500.2, 56426.5, and 59220 of, the Education Code, and to amend Sections 7579 and 7579.5 of, and to add Section 7572.2 to, the Government Code, relating to special education, 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.

**AUTHOR'S AMENDMENTS  
Committee on Transportation**

March 14, 2000

Mr. Speaker: The Chair of your Committee on Transportation reports:  
Assembly Bill No. 1871

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

TORLAKSON, Chairman

**ASSEMBLY BILL NO. 1871**—An act to add Section 149.2 to the Streets and Highways Code, relating to highways.

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.

**ADJOURNMENT**

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, March 15, 2000.

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ANTONIO R. VILLARAIGOSA, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 14, 2000**

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

<b>AB</b>	<b>RN</b>	
1795	0006334	
1868	0006385	
1871	0005563	
<b>Daily Total:</b>		<b>3</b>
<b>Cumulative Total:</b>		<b>3643</b>

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