

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Monday, March 19, 2001

FORTIETH SESSION DAY

ONE HUNDRED SIXTH 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
Monday, March 19, 2001

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 Cogdill 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 11:15 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—77:

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

PRAYER

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

O Lord Our God, Who fashioned all things for the service of man, to nourish and sustain him, bless our great state and those men and women who work diligently in this Assembly. May we all be filled with material and heavenly blessings in abundance, that with joy and out of grateful hearts may we give thanks to You, blessing and glorifying Your majestic name.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Diaz 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 Shelley, seconded by Assembly Member Bill Campbell.

LEAVES OF ABSENCE FOR THE DAY

By unanimous consent, the following Assembly Member was granted leave of absence for the day:

On legislative business: Assembly Member Washington.

EXPLANATIONS OF ABSENCE

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

March 16, 2001

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

Dear Speaker Hertzberg: I would like to request to be excused from Session on Monday, March 19, 2001. I will be in my district on important legislative business.

Your consideration of this request is appreciated.

Sincerely,

CARL WASHINGTON, Assembly Member
Fifty-second District

COMMUNICATIONS

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

March 19, 2001

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

Re: Assembly Public Safety Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Ellen Corbett to fill the vacancy on the Assembly Public Safety Committee for the 2001–02 Regular Session.

Sincerely,

ROBERT M. HERTZBERG
 Speaker of the Assembly

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

Explanation of Absence—March 15, 2001

March 19, 2001

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

Dear Mr. Speaker: I respectfully request that the Daily Journal for March 15, 2001 be corrected to reflect that I was excused for a family illness.

Thank you for favorably considering this request. Your understanding is most appreciated. If you have any questions, please feel free to contact me at: 319-2032.

Best regards,

ROY ASHBURN, Assembly Member
 Thirty-second District

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 19, 2001

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

Assembly Bill No. 102

Assembly Bill No. 164

Assembly Bill No. 207

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, March 19, 2001

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

Assembly Concurrent Resolution No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered to the Consent Calendar.

Assembly Chamber, March 19, 2001

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

Assembly Concurrent Resolution No. 16

And reports the same correctly enrolled, and presented to the Secretary of State on the 19th day of March, 2001, at 9:45 a.m.

E. DOTSON WILSON, Chief Clerk

SPECIAL COMMITTEE MEETINGS

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

Local Government, on April 18, 2001, at 1:30 p.m., in Room 127, and on May 2, 2001, at 1:30 p.m., in Room 126;

Joint Legislative Audit Committee, on April 4, 2001, at 2 p.m., in Room 3191;

Natural Resources, on April 20, 2001, in San Diego;

Banking and Finance, on April 2, 2001 and April 23, 2001, at 1:30 p.m., in Room 444;

Jobs, Economic Development, and the Economy, on April 3, 2001;

Housing and Community Development, on March 22, 2001, at 8:15 a.m., in Room 126.

AUTHOR'S AMENDMENTS Committee on Agriculture

March 19, 2001

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

Assembly Bill No. 236

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

MATTHEWS, Chairwoman

ASSEMBLY BILL NO. 236—An act to amend Section 75005 of the Food and Agricultural Code, relating to agriculture.

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 Revenue and Taxation

March 19, 2001

Mr. Speaker: The Chair of your Committee on Revenue and Taxation reports:

Assembly Bill No. 106

Assembly Bill No. 238

Assembly Bill No. 243

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 106—An act to amend Sections 17039, 19340, and 19341 of, and to add Section 17052.1 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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. 238—An act to amend Sections 17276, 17276.1, 24416, and 24416.1 of, and to add Sections 17276.7 and 24416.7, to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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. 243—An act to add Section 7392.1 to the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

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 Judiciary

Date of Hearing: March 13, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Assembly Bill No. 146

With amendments with the recommendation: Amend, and do pass, as amended.

STEINBERG, Chairman

Above bill ordered to second reading.

Committee on Governmental Organization

Date of Hearing: March 5, 2001

Mr. Speaker: Your Committee on Governmental Organization reports:

Assembly Concurrent Resolution No. 18

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

WESSON, Chairman

Above resolution ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 15, 2001

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

Senate Concurrent Resolution No. 20

Senate Joint Resolution No. 10

GREG 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. 20—Relative to State Employee Mentor Awareness and Recruitment Day.

SENATE JOINT RESOLUTION NO. 10—Relative to special education funding.

ADJOURN IN MEMORY

Moment of Silence Observed

Speaker Hertzberg and Assembly Members Migden, Papan, and Shelley were joined by the Members of the Assembly in adjourning this day's session out of respect to the memory of Robert Burton, of San Francisco, brother of President pro Tempore of the Senate John Burton, and that the Assembly observe a moment of silence in his honor. (Assembly Rule 45.5 suspended.)

REQUEST FOR PHOTOGRAPHER

Speaker Hertzberg was granted unanimous consent that a photographer be permitted on the Floor of the Assembly.

ANNOUNCEMENTS

Assembly Member Matthews announced that March 18–24 is National Agriculture Week, and tomorrow, March 20, 2001 is National Agriculture Day.

ADJOURN IN MEMORY**Moment of Silence Observed**

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 California Highway Patrol Sergeant Gary R. Wagers, of Woodland, and that the Assembly observe a moment of silence in his honor.

(Assembly Rule 45.5 suspended.)

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Thomson was granted unanimous consent that the following statement be printed in the Journal:

SERGEANT GARY R. WAGERS, #9221

California Highway Patrol Sergeant Gary R. Wagers, was killed in the line of duty during the early morning hours on March 15, 2001. Gary R. Wagers was involved in a single vehicle collision while traveling northbound on Highway 113 near Interstate 5 in Yolo County and succumbed to his injuries as a result of the collision.

Gary R. Wagers is survived by his wife Linda, and his three children: Shelly, Carrie, and Garhett, and many beloved family members, and friends.

Sgt. Gary R. Wagers was born on November 30, 1946, in Allegan, Michigan, where he graduated from Allegan High School in 1965. Prior to beginning his career with the Department of the California Highway Patrol, Gary R. Wagers graduated from California State University, Sacramento, in 1971, with a degree in Marketing, promoted to the rank of Major in the California Army National Guard Reserves, and served as a reserve officer for Sacramento County Sheriff's Department in 1979.

Sgt. Gary R. Wagers joined the California Highway Patrol on March 26, 1979. After successfully completing his Academy training, he reported to the West Los Angeles Area as a State Traffic Officer on August 9, 1979. Gary R. Wagers made significant contributions while assigned to West Los Angeles Area, Westminster Area, Air Operations, and South Sacramento Area.

Gary R. Wagers promoted to the rank of Sergeant on March 1, 1992, and was assigned to the Riverside Area Office for one year, Santa Ana Area Office for seven years, and to the Woodland Area Office for only four months.

Gary R. Wagers served 21 years, seven months, as a sworn peace officer for the Department of the California Highway Patrol. He was known by his fellow officers for his outgoing warmth, his energy level, and his upbeat, positive manner and for his dedication to the CHP and to the protection of the citizens of this state.

Memorial services will be held at the Capital Christian Center, Tuesday at 1 p.m.

Please join me in honoring the life of service of Gary Wagers by a moment of silence in his memory.

ADJOURN IN MEMORY

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of his uncle, Howard Eugene Mountjoy of Tyler, Texas.

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 11:33 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of special guests.

Speaker Hertzberg introduced Donita Stromgren, Public Policy Coordinator, California Child Care Resource and Referral Service; Virginia Cannon, Child Care Coordinator, Child Action; and Robbie Townsley, Resource and Referral Superintendent for Yolo County; whereupon he presented a resolution recognizing March 27, 2001 as “*California Child Care Resource and Referral Services Day*” and the important contribution these services have made to parents, children, and child care providers in the State of California for the past 25 years.

RECONVENED

At 11:35 a.m., the Assembly reconvened.

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

Announcements

Assembly Member Pavley announced that El Camino High School of Woodland Hills was the winner of the California Academic Decathlon held this past weekend.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11:36 a.m., by unanimous consent, the members of the Committee on Rules were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room, and without objection, the House was permitted to continue in Floor session.

COMMITTEE MEETING ANNOUNCEMENTS

Assembly Member Dutra announced that the Committee on Transportation would meet today at 1 p.m., instead of 1:30 p.m.

RECESS

By unanimous consent, at 11:38 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:41 a.m., the Assembly reconvened.

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

CONSIDERATION OF DAILY FILE**UNFINISHED BUSINESS****CONSIDERATION OF SENATE AMENDMENTS**

ASSEMBLY BILL NO. 10 (Corbett)—An act to amend Sections 19147 and 24872 of, and to add Section 24872.6 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

The question being: Shall the Assembly concur in the Senate amendments to the above bill?

(NOTE: Text of Senate amendments on file with the Secretary of the Senate.)

Parliamentary Inquiry

Assembly Member Rod Pacheco arose to the following parliamentary inquiry:

Is Assembly Bill No. 10 keyed by Legislative Counsel requiring 41 votes for passage?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied in the affirmative.

Parliamentary Inquiry

Assembly Member Rod Pacheco arose to the following parliamentary inquiry:

Does this bill properly conform with Article XIII A, Section 3 of the Constitution which would require a $\frac{2}{3}$ vote?

Assembly Bill No. 10 Passed Temporarily

By unanimous consent Assembly Bill No. 10 was passed temporarily on file.

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

SENATE CONCURRENT RESOLUTION NO. 16 (Chesbro)—Relative to California Adult Education Week.

Resolution read and presented by Assembly Member Strom-Martin.

Members Made Coauthors of Senate Concurrent Resolution No. 16

Assembly Member Strom-Martin was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 16.

Roll Call

The following Assembly Members indicated a desire to become coauthors:

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

Request for Unanimous Consent

Assembly Member Strom-Martin was granted unanimous consent to take up Senate Concurrent Resolution No. 16, as amended, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 16, as Amended

SENATE CONCURRENT RESOLUTION NO. 16—Relative to California Adult Education Week.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**FURTHER CONSIDERATION OF SENATE AMENDMENTS—
ASSEMBLY BILL NO. 10**

ASSEMBLY BILL NO. 10 (Corbett)—An act to amend Sections 19147 and 24872 of, and to add Section 24872.6 to, the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

Reply to Parliamentary Inquiry by Assembly Member Rod Pacheco

Speaker pro Tempore Keeley replied to the parliamentary inquiry raised earlier this day by Assembly Member Rod Pacheco that in the view of the Chair Assembly Bill No. 10 is a conformity bill, does not raise tax rates, and therefore the Chair concurs with the Legislative Counsel opinion requiring 41 votes for passage.

Parliamentary Inquiry

Assembly Member Rod Pacheco arose to the following parliamentary inquiry:

Is it the understanding of the Chair that while Assembly Bill No. 10 is a conformity bill, it will result in increased taxes and therefore require $\frac{2}{3}$ votes for passage?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that although the bill may result in more revenue, it does not result in increased tax rates.

Parliamentary Inquiry

Assembly Member Rod Pacheco arose to the following parliamentary inquiry:

The increased revenue will be the result of what action by the government?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that the result of enactment of this bill would make the State of California consistent, and in conformity with federal law.

Parliamentary Inquiry

Assembly Member Rod Pacheco arose to the following parliamentary inquiry:

Would the state therefore be collecting more taxes?

Reply by Speaker pro Tempore Keeley

The Speaker pro Tempore replied that it is the understanding of the Chair that enactment could result in greater revenue accruing to the State, but the bill is revenue neutral and does not increase the tax rate, and that is the threshold for the Legislative Counsel key as to whether the bill requires a majority vote for passage or a $\frac{2}{3}$ vote.

The question being on concurrence in Senate amendments to Assembly Bill No. 10.

Amendments concurred in by the following vote:

AYES—44

Alquist	Diaz	Liu	Shelley
Aroner	Dutra	Longville	Simitian
Calderon	Firebaugh	Lowenthal	Steinberg
Cardenas	Florez	Matthews	Strom-Martin
Cardoza	Frommer	Migden	Thomson
Cedillo	Goldberg	Nakano	Vargas
Chan	Horton	Nation	Wayne
Chavez	Jackson	Oropeza	Wesson
Cohn	Keeley	Pavley	Wiggins
Corbett	Kehoe	Reyes	Wright
Correa	Koretz	Salinas	Mr. Speaker

NOES—29

Aanestad	Daucher	Leslie	Runner
Ashburn	Dickerson	Maddox	Strickland
Bates	Harman	Maldonado	Wyland
Briggs	Hollingsworth	Mountjoy	Wyman
Campbell, Bill	Kelley	Pacheco, Robert	Zettel
Campbell, John	La Suer	Pacheco, Rod	
Cogdill	Leach	Pescetti	
Cox	Leonard	Richman	

Vote Changes

By unanimous consent, the following vote change was permitted on concurrence in Senate amendments to Assembly Bill No. 10: Assembly Member Havice, from "Aye" to "Not Voting".

Above bill ordered enrolled.

COMMUNICATIONS

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

March 19, 2001

E. Dotson Wilson
Chief Clerk of the Assembly
State Capitol, Third Floor
Sacramento, California

Re: Explanation of Vote—Assembly Bill No. 10

Dear Dotson: I write on behalf of all 29 Republican Assembly Members who voted "NO" on AB 10 (Corbett) earlier today.

Assembly Bill 10 was keyed by Legislative Counsel as a majority vote measure—rather than a two-thirds vote—notwithstanding Article XIII A, Section 3 of the state Constitution. As such, all Republican Caucus members voted "NO."

Respectfully,

BILL CAMPBELL
 Assembly Republican Leader

(On behalf of all 29 members of the California State Assembly Republican Caucus)

CONSIDERATION OF CONSENT CALENDAR

The Speaker pro Tempore announced that the next roll call would be on the Consent Calendar.

Consent Calendar—Assembly Bill

ASSEMBLY BILL NO. 92 (Chavez)—An act to amend Section 831.8 of the Government Code, relating to liability.

Bill read third time, and passed by the following vote:

AYES—77

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

NOES—None

Bill ordered transmitted to the Senate.

RECESS

By unanimous consent, at 11:58 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

RECONVENED

At 11:59 a.m., the Assembly reconvened.

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

ANNOUNCEMENTS

Speaker pro Tempore Keeley announced the following session schedule:

Tuesday, March 20, 2001, Floor Session at 4:30 p.m. for Annual State of the Judiciary Address;

Wednesday, March 21, 2001, Floor Session at 3 p.m., Joint Convention for Address by the President of Mexico;

Thursday, March 22, 2001, Floor Session, 8:30 a.m.

ADJOURN IN MEMORY

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 his uncle Avelino Chavez, of West Covina.

Assembly Member Corbett was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Julian David Burke, of Hayward, and Marvin Smith, of Castro Valley.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Violet Ciszek, mother of Congresswoman Andrea Seastrand, of Salinas.

VOTE ADDS

The following Assembly Members were granted unanimous consent to record their votes on the following items:

Assembly Bill No. 10, Concurrence: Correa, Frommer, and Nakano—Aye; Briggs—No.

Consent Calendar: Briggs—Aye.

MOTION TO ADJOURN

At 12:04 p.m., Assembly Member Aroner moved that the Assembly do now adjourn.

Assembly Member Bill Campbell seconded the motion.

REMARKS ON CONDITION OF THE FILE

Assembly Member Cox arose to speak on the condition of the file.

FURTHER CONSIDERATION OF MOTION TO ADJOURN

The question being on the motion of Assembly Member Aroner that the Assembly adjourn.

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:04 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

**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 Pavley to introduce a bill relating to public utilities.

Request No. 0109247.

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. 1724—Pavley. An act to amend Section 399.6 of the Public Utilities Code, relating to public utilities.

ASSEMBLY BILL NO. 1725—Committee on Jobs, Economic Development, and the Economy (Reyes (Chair), Cogdill (Vice Chair), Chan, Cohn, Correa, Diaz, Leach, Liu, and Wyman). An act to amend Section 15379.2 of the Government Code, relating to economic development.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY JOINT RESOLUTION NO. 7—Aroner. Relative to the federal government.

REFERENCE OF BILLS TO COMMITTEE

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

<i>Assembly Bill No.</i>	<i>Committee</i>
358	E.S. & T.M.
532	Health
825	Health
828	Health
935	Higher Ed.
947	E.S. & T.M. and Ed.
972	E.S. & T.M.
980	E.,R. & C.A.
1013	Rev. & Tax.
1057	Trans. and Rev. & Tax.
1069	L. & E.
1073	Ed.
1111	Hum. S. and Aging & L.T.C.
1267	Nat. Res. and U. & C.
1274	L. Gov. and U. & C.
1284	H. & C.D. and L. Gov.
1309	L. & E. and Jud.
1326	Ed.
1339	B. & P.
1342	Higher Ed.
1367	L. Gov.
1401	Health
1402	B. & P.
1403	W.,P. & W.
1404	L. & E.
1406	Trans.
1408	Agri.
1409	Health
1411	G.O.
1412	Ed.
1413	Rev. & Tax.
1415	B. & P.
1416	Pub. S.
1418	G.O.
1420	Trans.

1423	-----	Health
1426	-----	Jud.
1427	-----	Rev. & Tax.
1428	-----	Health
1429	-----	G.O.
1430	-----	Ed.
1431	-----	Ed.
1432	-----	G.O.
1433	-----	Rev. & Tax.
1434	-----	Ed.
1435	-----	Agri.
1436	-----	L. Gov.
1437	-----	G.O.
1438	-----	Health
1439	-----	Ed.
1440	-----	J., E.D. & E.
1442	-----	B. & P.
1443	-----	U. & C.
1444	-----	Health
1445	-----	U. & C.
1447	-----	Ed.
1448	-----	L. & E.
1450	-----	Pub. S.
1454	-----	Health
1455	-----	Ed.
1456	-----	L. & E.
1459	-----	L. & E.
1460	-----	Pub. S.
1461	-----	Health
1463	-----	Jud.
1464	-----	Health
1465	-----	E.S. & T.M.
1466	-----	Agri.
1468	-----	Pub. S.
1469	-----	Nat. Res. and U. & C.
1470	-----	J., E.D. & E.
1471	-----	J., E.D. & E. and E.S. & T.M.
1472	-----	Trans.
1476	-----	Pub. S.
1477	-----	G.O.
1478	-----	Ed.
1479	-----	Health
1480	-----	Health
1481	-----	W.,P. & W.
1485	-----	Health
1487	-----	W.,P. & W.
1488	-----	Ins.
1490	-----	Health
1491	-----	G.O.
1494	-----	Trans.
1495	-----	L. Gov.
1497	-----	Pub. S.
1498	-----	Ed.
1499	-----	Ed.

1500	-----	E.,R. & C.A.
1501	-----	Pub. S.
1502	-----	P.E.,R. & S.S.
1503	-----	Health
1504	-----	Jud.
1506	-----	Jud.
1507	-----	E.S. & T.M.
1508	-----	Health
1510	-----	E.S. & T.M.
1512	-----	Pub. S.
1513	-----	E.,R. & C.A.
1514	-----	L. Gov.
1515	-----	E.,R. & C.A.
1516	-----	Hum. S.
1518	-----	G.O.
1520	-----	E.,R. & C.A.
1522	-----	Health
1523	-----	Higher Ed.
1525	-----	Hum. S.
1528	-----	Nat. Res.
1532	-----	Nat. Res.
1533	-----	Hum. S.
1534	-----	Jud.
1535	-----	U. & C.
1536	-----	Pub. S.
1537	-----	Ins.
1539	-----	Ed.
1540	-----	L. Gov.
1541	-----	H. & C.D.
1542	-----	E.,R. & C.A.
1544	-----	L. Gov.
1545	-----	W.,P. & W.
1546	-----	Pub. S.
1547	-----	Health
1548	-----	Agri.
1549	-----	Jud.
1552	-----	Agri.
1554	-----	P.E.,R. & S.S.
1555	-----	Pub. S.
1558	-----	Ed.
1559	-----	J., E.D. & E.
1563	-----	P.E.,R. & S.S.
1564	-----	Trans.
1565	-----	E.S. & T.M.
1566	-----	Health
1567	-----	H. & C.D.
1568	-----	Hum. S.
1569	-----	Rev. & Tax.
1570	-----	Pub. S.
1571	-----	Jud.
1575	-----	Rev. & Tax.
1577	-----	Nat. Res. and U. & C.
1580	-----	Ed.
1582	-----	Hum. S.

1583	-----	B. & P.
1585	-----	E.,R. & C.A.
1586	-----	Health
1587	-----	Trans.
1588	-----	U. & C.
1589	-----	Health
1590	-----	Jud.
1591	-----	Rev. & Tax.
1593	-----	G.O.
1594	-----	Nat. Res. and U. & C.
1596	-----	B. & F.
1597	-----	U. & C.
1598	-----	W.,P. & W.

Senate Concurrent

<i>Resolution No.</i>		<i>Committee</i>
20	-----	Rls.

Senate Joint

<i>Resolution No.</i>		<i>Committee</i>
6	-----	H. & C.D.

AUTHOR'S AMENDMENTS
Committee on Education

March 19, 2001

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

- Assembly Bill No. 200
- Assembly Bill No. 231
- Assembly Bill No. 253

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

STROM-MARTIN, Chairwoman

ASSEMBLY BILL NO. 200—An act relating to school facilities, 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. 231—An act to amend Sections 52122, 52122.7, 52122.8, 52123, 52124, 52124.5, and 52126 of the Education Code, relating to class size.

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. 253—An act to amend Sections 52335.2, 52616.16, and 84750 of, to add Article 4 (commencing with Section 8540) to Chapter 3 of Part 6 of, and to add Section 60858 to, the Education Code, relating to adult education, 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.

AUTHOR'S AMENDMENTS
Committee on Health

March 19, 2001

Mr. Speaker: The Chair of your Committee on Health reports:
Assembly Bill No. 137

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

THOMSON, Chairwoman

ASSEMBLY BILL NO. 137—An act to add Section 113921 to the Health and Safety Code, relating to retail food facilities.

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: March 19, 2001

Mr. Speaker: Your Committee on Rules reports:
Senate Concurrent Resolution No. 20

With the recommendation: Be adopted.

CARDOZA, Chairman

Above resolution ordered on file.

Committee on Revenue and Taxation

Date of Hearing: March 12, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:
Assembly Bill No. 44

With amendments with the recommendation: Do pass as amended, and be re-referred to the Committee on Appropriations with the recommendation: To Consent Calendar.

CORBETT, Chairwoman

Above bill ordered to second reading.

MESSAGES FROM THE SENATE

Senate Chamber, March 19, 2001

Mr. Speaker: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 8

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

Senate Chamber, March 19, 2001

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

Senate Bill No. 26

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

Senate Chamber, March 19, 2001

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

Senate Joint Resolution No. 2

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

FIRST READING OF SENATE BILLS

The following bill was read the first time:

SENATE BILL NO. 26—An act to amend Sections 101, 3750.51, 6704.1, 7011, and 8027 of, and to repeal and add Section 2475 of, the Business and Professions Code, and to amend Section 1.5 of an initiative act entitled “An Act to establish a board of osteopathic examiners, to provide for their appointment, and to prescribe their powers and duties; to regulate the examination of applicants, who are graduates of osteopathic schools, for any form of certificate to treat disease, injuries, deformities, or other physical or mental conditions; to regulate the practice of those so licensed, who are graduates of osteopathic schools; to impose upon said board of osteopathic examiners all duties and functions, relating to graduates of osteopathic schools, holding or applying for any form of certificate or license, heretofore exercised and performed by the board of medical examiners of the State of California under the provisions of the state medical practice act, approved June 2, 1913, and acts amendatory thereof” approved by electors November 7, 1922 (the Osteopathic Act), relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

The following resolution was read:

SENATE JOINT RESOLUTION NO. 2—Relative to Cesar Chavez.

INTRODUCTION OF GUESTS

Assembly Member La Suer, of the 77th Assembly District, introduced Kandy Hosier and Robert Spanbauer, of La Mesa.

Assembly Member Florez, of the 30th Assembly District, introduced Fred Starrh and the Shafter High School Band, of Shafter.

Assembly Member Simitian, of the 21st Assembly District, introduced Hon. Leo T. McCarthy, former Lt. Governor of the State of California.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Aroner, the Assembly adjourned until 4:30 p.m., Tuesday, March 20, 2001 out of respect to the memory of Robert Burton, on motion of Speaker Hertzberg, Assembly Members Migden, Papan and Shelley, and all Members of the Assembly; out of respect to the memory of Sgt. Gary R. Wagers, on motion of Assembly Member Thomson; out of respect to the memory of Howard Eugene Mountjoy and Violet Ciszek, on motion of Assembly Member Mountjoy; out of respect to the memory of Avelino Chavez, on motion of Assembly Member Chavez; and out of respect to the memory of Julian David Burke and Marvin Smith, on motion of Assembly Member Corbett.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON MARCH 19, 2001

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

AB	RN	
106	0109152	
137	0109143	
200	0109253	
231	0108699	
236	0108956	
238	0108760	
243	0109023	
253	0109361	
Daily Total:		8
Cumulative Total:		58

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