

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, March 20, 2002

**ONE HUNDRED SIXTY-EIGHTH SESSION DAY
FOUR HUNDRED SEVENTY-SECOND 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 20, 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	Diaz	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, John	Havice	Mountjoy	Vargas
Canciamilla	Hertzberg	Nakano	Washington
Cedillo	Hollingsworth	Nation	Wayne
Chan	Horton	Negrete McLeod	Wiggins
Chavez	Jackson	Oropeza	Wright
Chu	Keeley	Pacheco, Robert	Wyland
Cogdill	Kehoe	Pacheco, Rod	Wyman
Cohn	Kelley	Papan	Zettel
Correa	Koretz	Pavley	Mr. Speaker
Cox	La Suer	Pescetti	
Daucher	Leach	Reyes	

Quorum present.

At 11:35 a.m., Hon. Rebecca Cohn, 24th 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 Bill Campbell, Corbett, Migden, 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 14, 2002

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

Dear Mr. Speaker: I will be away from the Capitol on Wednesday, March 20 on Legislative Business. I will be back in the Capitol in time for Session on Thursday morning.

If you have any questions regarding this matter, please feel free to call Char Booth at my office at 319-2071.

Thank you for your consideration in this matter.

Sincerely,

BILL CAMPBELL, Assembly Member
Seventy-first District

March 19, 2002

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

Dear Speaker Wesson: Please excuse me from Session on Wednesday, March 20th. I must be in my district on legislative business.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

March 18, 2002

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

Dear Mr. Speaker: I am respectfully requesting to be excused from session March 20, 2002 to conduct legislative business in my district.

If you have any questions, please contact Diane Schaubach at 319-2013.

Thank you.

Sincerely,

CAROLE MIGDEN, Assembly Member
Thirteenth District

March 19, 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 Check-In Session on Wednesday, March 20, 2002, as I will be meeting with constituents in my district to discuss legislative issues.

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 Cardenas on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for March 19, 2002.)

COMMUNICATIONS

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

March 19, 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 Russ Bogh to replace Assemblymember Bill Campbell on the Assembly Education Committee for the Wednesday, March 20 hearing only.

Sincerely,

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

March 20, 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 Gloria Negrete McLeod to replace Assemblymember Dennis Cardoza on the Assembly Agriculture Committee for today's hearing only.

Sincerely,

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

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 20, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1912

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, March 20, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1754
Assembly Bill No. 1823
Assembly Bill No. 1857

Assembly Bill No. 1909
Assembly Bill No. 2995
Assembly Bill No. 3005

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 177—Diaz. Relative to foreign teacher recruitment and support.

**AUTHOR’S AMENDMENTS
Committee on Natural Resources**

March 20, 2002

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Assembly Bill No. 1983

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

WAYNE, Chairman

ASSEMBLY BILL NO. 1983—An act to add Article 9 (commencing with Section 4745) to Chapter 10 of Part 2 of Division 4 of the Public Resources Code, relating to forest resources.

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 20, 2002

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

Assembly Bill No. 1890

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

HAVICE, Chairwoman

ASSEMBLY BILL NO. 1890—An act to amend Section 45004 of the Government Code, relating to city employees.

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 Business and Professions

March 20, 2002

Mr. Speaker: The Chair of your Committee on Business and Professions reports:
 Assembly Bill No. 1769

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

CORREA, Chairman

ASSEMBLY BILL NO. 1769—An act to add Section 17538.41 to the Business and Professions Code, relating to advertising.

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 20, 2002

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

Assembly Bill No. 1916
 Assembly Bill No. 1936
 Assembly Bill No. 1968

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

CHAVEZ, Chairman

ASSEMBLY BILL NO. 1916—An act to amend Section 6369 of 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. 1936—An act to amend Sections 7403.2, 7651, 7652.5, 7652.7, 8752, 30181, 30182, 30183, 30186, 30187, 30188, 32251, 40061, 40063, 41052, 43151, 43152.6, 43152.7, 43152.9, 43152.13, 43152.14, 45151, 46151, 50109, 60107, 60201, 60202, 60204, 60205, 60205.5 of, and to add Sections 8763, 30193, 32263, 40069, 41063, 43173, 45163, 46163, 50112.10, 55040, 60505.5 to, the Revenue and Taxation Code, relating to taxation.

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. 1968—An act to add Sections 17138.1 and 24308.1 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.

AUTHOR'S AMENDMENTS
Committee on Judiciary

March 20, 2002

Mr. Speaker: The Chair of your Committee on Judiciary reports:
Assembly Bill No. 1805

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 1805—An act to amend Section 1785.33 of the Civil Code, relating to consumer 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 Housing and Community Development

March 20, 2002

Mr. Speaker: The Chair of your Committee on Housing and Community Development reports:

Senate Bill No. 372

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

LOWENTHAL, Chairman

SENATE BILL NO. 372—An act to add Chapter 5 (commencing with Section 50600) to Part 2 of Division 31 of the Health and Safety Code, relating to housing, 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.

REPORTS OF STANDING COMMITTEES
Committee on Insurance

Date of Hearing: March 20, 2002

Mr. Speaker: Your Committee on Insurance reports:
Assembly Bill No. 1761

With the recommendation: Do pass, and be re-referred to the Committee on Appropriations.

CALDERON, Chairman

Above bill re-referred to the Committee on Appropriations.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

ASSEMBLY BILL NO. 1765—An act to amend Section 35400 of the Vehicle Code, relating to vehicles.

Bill read second time, and ordered to Consent Calendar.

ASSEMBLY BILL NO. 1912—An act to amend Section 99314.5 of the Public Utilities Code, relating to transportation.

Bill read second time, and ordered to third reading.

ASSEMBLY BILL NO. 1773—An act to amend Section 786 of the Penal Code, relating to identity theft.

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.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, March 20, 2002

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

- Assembly Concurrent Resolution No. 129
- Assembly Concurrent Resolution No. 133
- Assembly Concurrent Resolution No. 138
- Assembly Concurrent Resolution No. 139
- Assembly Concurrent Resolution No. 155
- Assembly Concurrent Resolution No. 162

And reports the same correctly enrolled, and presented to the Secretary of State on the 20th day of March, 2002, at 3 p.m.

E. DOTSON WILSON, Chief Clerk

CONFERENCE COMMITTEE REPORTS RECEIVED

Assembly Chamber, Received at Desk: March 20, 2002

Mr. Speaker: The Committee on Conference has met concerning:

Assembly Bill No. 16, as amended in Senate August 27, 2001, and agreed to recommend that the amendments of the Senate be concurred in, and that the bill be further amended.

The undersigned Members consenting to the report:

DEIRDRE W. ALPERT
WES CHESBRO

VIRGINIA STROM-MARTIN
JACKIE GOLDBERG

Senate Committee on Conference Assembly Committee on Conference
Above bill ordered reprinted, as proposed by the Conference
Committee.

ADJOURNMENT

At 11:45 p.m., the Assembly adjourned until 8:30 a.m., Thursday, March 21, 2002.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON MARCH 20, 2002**

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

AB	RN
16	0206676 (Conf.)
1769	0206510
1773	0206238
1805	0206063
1890	0206427
1916	0206441
1936	0206340
1968	0206017
1983	0206355

SB	RN
372	0206436

Daily Total:	10
Cumulative Total:	3536

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