

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Thursday, March 22, 2001**

**FORTY-THIRD SESSION DAY**

**ONE HUNDRED 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 22, 2001

The Assembly met at 8:30 a.m.

Hon. Robert M. Hertzberg, Speaker 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 Dutra moved a quorum call of the Assembly.

Motion carried. Time, 8:31 a.m.

The Speaker directed the Sergeant at Arms to close the doors, and to bring in the absent Members.

**At 8:48 a.m., Speaker pro Tempore Fred Keeley, 27th District, presiding**

#### Quorum Present

At 8:48 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—78:

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	Washington
Cardenas	Hollingsworth	Nation	Wayne
Cardoza	Horton	Negrete McLeod	Wesson
Cedillo	Jackson	Oropeza	Wiggins
Chan	Keeley	Pacheco, Robert	Wright
Chavez	Kehoe	Pacheco, Rod	Wyland
Cogdill	Kelley	Papan	Wyman
Cohn	Koretz	Pavley	Zettel
Corbett	La Suer	Pescetti	Mr. Speaker
Correa	Leach	Reyes	
Cox	Leonard	Richman	

**PRAYER**

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Chaplain Rabbi Mona Alfi:

The 20th century theologian, Abraham Joshua Heshel said: "When I was a young man I used to value clever people. But now that I am old, I value kind people."

So often the skills that get us where we desire to be are not the same things that make us of value as human beings. When we are younger we measure success by grades, by social status, by the size of an office or staff. But as we get older, if we are truly wise, we learn that success is measured by the type of life we live and the quality of interactions with those around us.

May it be the will of the Creator that our words always be kind, our hearts compassionate and our actions wise.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Harman 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.

**REPORTS**

The following reports were presented by the Chief Clerk:

**Unpaid Holocaust Era Insurance Claims Status Report  
(Pursuant to Insurance Code Section 12967(e))**

Above transmitted report, together with letter of transmittal from Harry W. Low, Insurance Commissioner, Department of Insurance, dated March 20, 2001, referred by the Speaker to the Committee on Insurance.

**Judicial Council of California 2001 Annual Report  
(Pursuant to Article VI, Section 6 of the California Constitution)**

Above transmitted report, together with letter of transmittal from Ronald M. George, Chief Justice of California and Chair, Judicial Council of California, dated March 16, 2001, referred by the Speaker to the Committee on Judiciary.

**Evaluation of the Targeted Truancy and Public Safety Program  
Final Report  
(Pursuant to Education Code Section 48735)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated March 19, 2001, referred by the Speaker to the Committee on Education.

**Report to the Legislature on the  
Commercial Salmon Trollers Enhancement and Restoration Program  
(Pursuant to Fish and Game Code Section 7862)**

Above transmitted report, together with letter of transmittal from Robert C. Hight, Director, Department of Fish and Game, dated March 7, 2001, referred by the Speaker to the Committee on Natural Resources.

**Report to the Legislature  
on the Status of Compliance with  
the Surface Mining and Reclamation Act  
(Correction)**

Above transmitted report, together with letter of transmittal from Darryl Young, Director, Department of Conservation, dated March 20, 2001, referred by the Speaker to the Committee on Natural Resources.

**Proposal for a Comprehensive  
Ambient Surface Water Quality Monitoring Program  
(Pursuant to Water Code Section 13192)**

Above transmitted report, together with letter of transmittal from Edward C. Anton, Acting Executive Director, State Water Resources Control Board, dated March 16, 2001, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**2000 Annual Inspection of the State Water Project  
(Pursuant to Chapter 150 of the Statutes of 1967)**

Above transmitted report, together with letter of transmittal from George G. Gowgani, Ph.D., Chairman, California Water Commission, Department of Water Resources, dated March 15, 2001, referred by the Speaker to the Committee on Water, Parks and Wildlife.

**California Public Interest Energy Research:  
Independent PIER Review Panel Final Report  
(Pursuant to Chapter 905 of the Statutes of 1997)**

Above transmitted report, together with letter of transmittal from John S. Foster, Jr., Chair, Independent PIER Review Panel, California Council on Science and Technology, dated March 20, 2001, referred by the Speaker to the Committee on Utilities and Commerce.

**Quarterly Report Concerning MTBE Use in California Gasoline  
(Pursuant to Chapter 814 of the Statutes of 1999)**

Above transmitted report, together with letter of transmittal from William J. Keese, Chairman and Presiding Member, and Michal C. Moore, Commissioner and Associate Member, Fuels and Transportation Committee, California Energy Commission, dated March 19, 2001, referred by the Speaker to the Committee on Natural Resources.

**Peace Officer Feasibility Study  
(Pursuant to Penal Code Sections 13540-13543)**

Above transmitted report, together with letter of transmittal from Kenneth J. O'Brien, Executive Director, Commission on Peace Officer Standards and Training, dated March 21, 2001, referred by the Speaker to the Committee on Public Safety.

**SPECIAL COMMITTEE MEETINGS**

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

Human Services, on April 17, 2001;

Agriculture, on April 18, 2001, at 1:30 p.m., in Room 4202, and on May 2, 2001, at 1:30 p.m., in Room 4202;

Aging and Long Term Care, with the Senate Subcommittee on Aging and Long Term Care, on April 2, 2001, at 1 p.m.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 22, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
 Assembly Concurrent Resolution No. 28  
 And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

Assembly Chamber, March 22, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
 Assembly Bill No. 151  
 Assembly Bill No. 187  
 Assembly Bill No. 259  
 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 bill was introduced and read the first time:

**ASSEMBLY BILL NO. 1726—Committee on Jobs, Economic Development and the Economy (Reyes (Chair), Cogdill (Vice Chair), Chan, Cohn, Correa, Diaz, Liu, Oropeza, and Wyman).** An act to amend Sections 15364.7 and 15365.12 of, and to add Section 15363.8 to, the Government Code, relating to international trade.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 39—Mountjoy (Coauthors: Aanestad, Ashburn, Bates, Briggs, Bill Campbell, John Campbell, Cogdill, Cox, Daucher, Harman, Hollingsworth, La Suer, Leach, Leonard, Leslie, Maddox, Maldonado, Robert Pacheco, Pescetti, Richman, Runner, Strickland, Wyland, Wyman, and Zettel) (Coauthor: Senator Oller).** Relative to Work Zone Safety Awareness Week.

**ASSEMBLY CONCURRENT RESOLUTION NO. 40—Leach.** Relative to Mathematics Education Awareness Month.

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

March 22, 2001

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

Assembly Bill No. 135

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

HAVICE, Chairwoman

**ASSEMBLY BILL NO. 135—**An act to amend Sections 22134, 22136, 22820, 24411, 24412, 24415, 24416, and 24417 of, and to repeal Sections 22134.5, 22135, and 22136.5 of, the Education Code, relating to state teachers' retirement.

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.



**POINT OF ORDER**

Assembly Member Wyman arose to the following point of order:

Assembly Member Wright's remarks would be appropriately offered under "condition of the file".

**Ruling by Speaker pro Tempore Keeley**

The Speaker pro Tempore ruled the point of order well-taken.

**RE-REFERENCE OF BILLS**

Assembly Member Shelley was granted unanimous consent that Assembly Bill No. 152 be re-referred from the Committee on Environmental Safety and Toxic Materials to the Committee on Local Government.

**RECESS**

By unanimous consent, at 9:03 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 10:40 a.m., the Assembly reconvened.

Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

**CONSIDERATION OF DAILY FILE  
SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 124**—An act to amend Section 114145 of, and to add Section 113856 to, the Health and Safety Code, relating to environmental health, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 194**—An act to amend Section 103425 of the Health and Safety Code, relating to vital records.

Bill read second time, and ordered to third reading.

**ASSEMBLY BILL NO. 19**—An act to add Section 45452 to the Education Code, to add Section 1463.21 to the Penal Code, and to add Section 42011 to the Vehicle Code, relating to vehicles.

Bill read second time; amendments proposed by the Committee on Transportation read and adopted, bill ordered reprinted and to be re-referred to the Committee on Appropriations.

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, March 22, 2001

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

Assembly Bill No. 194

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

**MEMBERS EXCUSED FOR COMMITTEE MEETING**

At 10:34 a.m., by unanimous consent, the members of the Committee on Education were excused for the purpose of attending a meeting of the committee at this time, in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 10:40 a.m., Assistant Speaker pro Tempore Kehoe declared the Assembly recessed.

**RECONVENED**

At 10:44 a.m., the Assembly reconvened.  
Hon. Christine Kehoe, Assistant Speaker pro Tempore of the Assembly, presiding.

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

**ASSEMBLY BILL NO. 146 (Wayne)**—An act to add Section 19990.6 to the Government Code, relating to state employment.

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

**AYES—70**

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

**NOES—7**

Ashburn	Leonard	Mountjoy	Wyman
Campbell, Bill	Maddox	Strickland	

Above bill ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES****Committee on Housing and Community Development**

Date of Hearing: March 22, 2001

Mr. Speaker: Your Committee on Housing and Community Development reports:

Senate Joint Resolution No. 6

With the recommendation: Be adopted.

LOWENTHAL, Chairman

Above resolution ordered on file.



**SENATE JOINT RESOLUTION NO. 6 TAKEN UP BY UNANIMOUS CONSENT**

Assembly Member Lowenthal was granted unanimous consent to take up Senate Joint Resolution No. 6, without reference to file.

**SENATE JOINT RESOLUTION NO. 6 (Dunn)**—Relative to multifamily rental housing.

Resolution read, presented by Assembly Member Lowenthal, and adopted by the following vote:

**AYES—77**

Aanestad	Daucher	Leslie	Salinas
Alquist	Diaz	Liu	Shelley
Aroner	Dickerson	Longville	Simitian
Ashburn	Dutra	Lowenthal	Steinberg
Bates	Firebaugh	Maddox	Strickland
Briggs	Florez	Maldonado	Strom-Martin
Calderon	Frommer	Matthews	Thomson
Campbell, Bill	Goldberg	Migden	Vargas
Campbell, John	Harman	Mountjoy	Washington
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	Pavley	Zettel
Cohn	Koretz	Pescetti	Mr. Speaker
Corbett	La Suer	Reyes	
Correa	Leach	Richman	
Cox	Leonard	Runner	

**NOES—None**

Resolution ordered transmitted to the Senate.

**REPORTS OF STANDING COMMITTEES****Committee on Education**

Date of Hearing: March 22, 2001

Mr. Speaker: Your Committee on Education reports:

Senate Joint Resolution No. 10

With the recommendation: Be adopted.

STROM-MARTIN, Chairwoman

Above resolution ordered on file.

**SENATE JOINT RESOLUTION NO. 10 TAKEN UP BY UNANIMOUS CONSENT**

Upon request of Assembly Member Shelley, Assembly Member Leach was granted unanimous consent to take up Senate Joint Resolution No. 10, without reference to file.

**SENATE JOINT RESOLUTION NO. 10 (Poochigian)**—Relative to special education funding.

Resolution read, and presented by Assembly Member Leach.

**Members Made Coauthors of Senate Joint Resolution No. 10**

Assembly Member Leach was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Joint Resolution No. 10.

**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, Cedillo, 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, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Papan, Pescetti, Reyes, Richman, Runner, Salinas, Shelley, Simitian, Steinberg, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wesson, Wiggins, Wright, Wyland, Wyman, and Zettel.

**Request for Unanimous Consent**

Assembly Member Leach was granted unanimous consent to take up Senate Joint Resolution No. 10, as amended, without reference to print or file.

**Consideration of Senate Joint Resolution No. 10, as Amended**  
**SENATE JOINT RESOLUTION NO. 10**—Relative to special education funding.  
 Resolution read, as amended, and adopted by the following vote:

**AYES—77**

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

**NOES—None**

Resolution ordered transmitted to the Senate immediately.

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

**ASSEMBLY BILL NO. 22 (Lowenthal)**—An act to amend Section 12071 of the Penal Code, relating to firearms.

Bill read third time.

**Point of Order**

Assembly Member Mountjoy arose to the following point of order:  
 Assembly Member Lowenthal is reading a paper on the Floor of the Assembly.

**Ruling by Assistant Speaker pro Tempore Kehoe**

The Assistant Speaker pro Tempore ruled the point of order not well-taken; that a Member may refer to notes to assist in debate.

**At 11:09 a.m., Hon. Helen Thomson, 8th District, presiding**

**Request to Read Paper on the Floor**

The Rules were temporarily suspended permitting Assembly Member Lowenthal to read a paper on the Floor during debate.

**At 11:12 a.m., Assistant Speaker pro Tempore Kehoe, 76th District, presiding**

**Point of Order**

Assembly Member Cardoza arose to the following point of order:

Assembly Member Mountjoy's remarks are not confined to the merits of Assembly Bill No. 22.

**Ruling by Assistant Speaker pro Tempore Kehoe**

The Speaker pro Tempore ruled the point of order well-taken.

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—47**

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

**NOES—23**

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

Bill ordered transmitted to the Senate.

**THIRD READING OF SENATE BILLS**

**SENATE CONCURRENT RESOLUTION NO. 20 (Alpert)**—Relative to State Employee Mentor Awareness and Recruitment Day.

Resolution read, and presented by Assembly Member Thomson.

**Members Made Coauthors of Senate Concurrent Resolution No. 20**

Assembly Member Thomson was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Senate Concurrent Resolution No. 20.

**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, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Pavley, Pescetti, Reyes, Richman, Runner, Salinas, Shelley, Simitian, Steinberg, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wesson, Wiggins, Wyman, and Zettel.

**Request for Unanimous Consent**

Assembly Member Thomson was granted unanimous consent to take up Senate Concurrent Resolution No. 20, as amended, without reference to print or file.

**Consideration of Senate Concurrent Resolution No. 20, as Amended**

**SENATE CONCURRENT RESOLUTION NO. 20**—Relative to State Employee Mentor Awareness and Recruitment Day.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**CAUCUS ANNOUNCEMENTS**

Assembly Member Bill Campbell announced that the Republican Caucus would meet, upon recess of Floor session, in the Tom Bane Rules Committee Room.

**RECESS**

By unanimous consent, at 11:36 a.m., Assistant Speaker pro Tempore Kehoe, declared the Assembly recessed.

**AUTHOR'S AMENDMENTS**

**Committee on Revenue and Taxation**

March 22, 2001

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

Assembly Bill No. 249

Assembly Bill No. 278

Assembly Bill No. 345

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

CORBETT, Chairwoman

**ASSEMBLY BILL NO. 249**—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. 278**—An act to amend Sections 17053.49 and 23649 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. 345**—An act to amend Section 60100 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.

**AUTHOR'S AMENDMENTS**

**Committee on Local Government**

March 22, 2001

Mr. Speaker: The Chair of your Committee on Local Government reports:

Assembly Bill No. 314

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

WIGGINS, Chairwoman

**ASSEMBLY BILL NO. 314**—An act to repeal and add Section 25372 of the Government Code, relating to surplus property.

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 Education

Date of Hearing: March 21, 2001

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 200

Assembly Bill No. 250

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

STROM-MARTIN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 2001

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 79

Assembly Bill No. 99

Assembly Bill No. 122

With the recommendation: Do pass, and re-refer to Committee on Appropriations with recommendation: To Consent Calendar.

STROM-MARTIN, Chairwoman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: March 21, 2001

Mr. Speaker: Your Committee on Education reports:

Assembly Bill No. 148

With the recommendation: Do pass, and be re-referred to the Committee on Jobs, Economic Development and the Economy.

STROM-MARTIN, Chairwoman

Above bill re-referred to the Committee on Jobs, Economic Development and the Economy.

Date of Hearing: March 20, 2001

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 68

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

THOMSON, Chairwoman

Above bill ordered to second reading.

Date of Hearing: March 20, 2001

Mr. Speaker: Your Committee on Health reports:

Assembly Bill No. 142

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

THOMSON, Chairwoman

Above bill ordered to second reading.

**Committee on Local Government**

Date of Hearing: March 21, 2001

Mr. Speaker: Your Committee on Local Government reports:

Assembly Bill No. 209

With the recommendation: Do pass.

Pursuant to the provisions of Joint Rules Nos. 22.1, 22.2, and 22.3, the committee recommends that the above bill be placed on the Consent Calendar.

WIGGINS, Chairwoman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, March 22, 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. 5
- Senate Concurrent Resolution No. 6
- Senate Concurrent Resolution No. 16

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

Senate Chamber, March 22, 2001

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

- Senate Joint Resolution No. 10

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

Senate Chamber, March 22, 2001

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

- Assembly Bill No. 8

And respectfully requests the Assembly to concur in said amendments.

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

Above bill ordered to unfinished business file.

Senate Chamber, March 22, 2001

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

- Senate Bill No. 12
- Senate Bill No. 23
- Senate Bill No. 86

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

Senate Chamber, March 22, 2001

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

- Senate Joint Resolution No. 3
- Senate Joint Resolution No. 5
- Senate Joint Resolution No. 7

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

**FIRST READING OF SENATE BILLS**

The following bills were read the first time:

**SENATE BILL NO. 12**—An act to add Sections 195.86, 195.87, and 195.88 to the Revenue and Taxation Code, relating to disaster relief, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

**SENATE BILL NO. 23**—An act to add Section 138.9 to the Water Code, relating to water.

**SENATE BILL NO. 86**—An act to amend Section 1197 of the Military and Veterans Code, relating to veterans, and declaring the urgency thereof, to take effect immediately.

The following resolutions were read:

**SENATE JOINT RESOLUTION NO. 3**—Relative to reproductive rights.

**SENATE JOINT RESOLUTION NO. 5**—Relative to the Armenian Genocide.

**SENATE JOINT RESOLUTION NO. 7**—Relative to wholesale electric prices.

**RECONVENED**

At 4:54 p.m., the Assembly reconvened.

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

**CONSIDERATION OF SENATE AMENDMENTS BY UNANIMOUS CONSENT  
AND ASSEMBLY RULE 77 SUSPENDED**

Assembly Member Cedillo was granted unanimous consent to suspend Assembly Rule 77 to permit consideration of Senate amendments to Assembly Bill No. 8, without reference to file.

**ASSEMBLY BILL NO. 8 (Cedillo)**—An act to amend Section 50898.2 of the Health and Safety Code, relating to housing and community development, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

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.)*

The roll was opened.

**Call of the Assembly**

Pending the announcement of the vote, Assembly Member Bill Campbell moved a call of the Assembly.

Motion carried. Time, 4:55 p.m.

The Sergeant at Arms was directed to close the doors, and to bring in the absent Members.

**RECESS**

By unanimous consent, at 4:55 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 4:57 p.m., the Assembly reconvened.

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



**CALL OF THE ASSEMBLY DISPENSED WITH  
ON CONCURRENCE IN SENATE AMENDMENTS TO  
ASSEMBLY BILL NO. 8**

At 4:57 p.m., on motion of Assembly Member Bill Campbell, and in the absence of any objection, further proceedings under the call of the Assembly were dispensed with.

The Assembly concurred in Senate amendments to Assembly Bill No. 8 by the following vote:

**AYES—56**

Alquist	Dutra	Longville	Shelley
Aroner	Firebaugh	Lowenthal	Simitian
Briggs	Florez	Matthews	Steinberg
Calderon	Frommer	Migden	Strickland
Canciamilla	Goldberg	Nakano	Strom-Martín
Cardenas	Harman	Nation	Thomson
Cardoza	Havice	Negrete McLeod	Vargas
Cedillo	Horton	Oropeza	Washington
Chan	Jackson	Pacheco, Robert	Wayne
Chavez	Keeley	Papan	Wesson
Cohn	Kehoe	Pavley	Wiggins
Corbett	Kelley	Pescetti	Wright
Correa	Koretz	Reyes	Wyland
Diaz	Liu	Salinas	Mr. Speaker

**NOES—19**

Aanestad	Cox	Leach	Pacheco, Rod
Bates	Daucher	Leonard	Richman
Campbell, Bill	Dickerson	Leslie	Runner
Campbell, John	Hollingsworth	Maldonado	Wyman
Cogdill	La Suer	Mountjoy	

**RECESS**

By unanimous consent, at 4:58 p.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 5:33 p.m., the Assembly reconvened.

Hon. Robert M. Hertzberg, Speaker of the Assembly, presiding.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolution**

**ASSEMBLY CONCURRENT RESOLUTION NO. 8 (Havice)**—Relative to Crime Victims' Rights Week.

Resolution read, and adopted by the following vote:

**AYES—76**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ANNOUNCEMENTS**

Speaker Hertzberg announced that the House would reconvene on Friday, March 23, 2001, upon Call of the Speaker.

**ADJOURN IN MEMORY**

Assembly Member Goldberg was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Arthur Edell, of Westlake Village.

**VOTE ADDS**

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

**Assembly Bill No. 146:** Alquist, Florez, and Reyes—Aye.

**Senate Joint Resolution No. 6:** Firebaugh, Florez, Rod Pacheco, and Reyes—Aye.

**Senate Joint Resolution No. 10:** Firebaugh, Florez, and Reyes—Aye.

**Assembly Bill No. 22:** Havice, Maldonado, and Reyes—Aye. Briggs, Bill Campbell, and Wyland—No.

**Assembly Bill No. 8, Concurrence:** Leslie and Maldonado—No.

**MOTION TO ADJOURN**

At 5:35 p.m., Assembly Member Bill Campbell moved that the Assembly do now adjourn, to reconvene upon Call of the Speaker.

Assembly Member Shelley seconded the motion.

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 5:35 p.m., Speaker Hertzberg declared the quorum call of the Assembly dispensed with.

**REFERENCE OF BILLS TO COMMITTEE**

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

*Assembly**Bill No.**Committee*

<b>162</b>	-----	Nat. Res. and U. & C.
<b>214</b>	-----	W.,P. & W. and U. & C.
<b>215</b>	-----	P.E.,R. & S.S.
<b>240</b>	-----	Rev. & Tax.
<b>263</b>	-----	B. & P.
<b>268</b>	-----	Jud.
<b>292</b>	-----	Ed.
<b>330</b>	-----	Nat. Res. and L. Gov.
<b>337</b>	-----	Trans. and Ins.
<b>390</b>	-----	Rev. & Tax.
<b>415</b>	-----	Jud.
<b>524</b>	-----	Hum. S.
<b>567</b>	-----	L. & E.
<b>596</b>	-----	Pub. S.
<b>599</b>	-----	E.S. & T.M.
<b>604</b>	-----	Ed.
<b>621</b>	-----	U. & C. and Nat. Res.
<b>638</b>	-----	L. & E.
<b>699</b>	-----	Ed.
<b>709</b>	-----	Nat. Res.
<b>729</b>	-----	L. Gov. and Nat. Res.
<b>739</b>	-----	H. & C.D. and Jud.
<b>763</b>	-----	J., E.D. & E.
<b>769</b>	-----	Ed.
<b>771</b>	-----	L. Gov. and Nat. Res.
<b>777</b>	-----	Nat. Res.
<b>793</b>	-----	U. & C. and L. Gov.
<b>794</b>	-----	Jud.
<b>795</b>	-----	B. & P.
<b>796</b>	-----	Ed.
<b>797</b>	-----	Hum. S.
<b>803</b>	-----	Pub. S. and P.E.,R. & S.S.
<b>804</b>	-----	Ed.
<b>805</b>	-----	J., E.D. & E.
<b>812</b>	-----	B. & P.
<b>819</b>	-----	Ed.
<b>822</b>	-----	B. & P.
<b>829</b>	-----	Aging & L.T.C.
<b>837</b>	-----	L. Gov.
<b>845</b>	-----	E.S. & T.M. and Rev. & Tax.
<b>849</b>	-----	Health
<b>856</b>	-----	G.O. and L. & E.
<b>874</b>	-----	Rev. & Tax.
<b>880</b>	-----	Trans.
<b>883</b>	-----	Health

896	-----	Hum. S.
925	-----	Health and L. & E.
933	-----	P.E.,R. & S.S.
949	-----	W.,P. & W.
964	-----	L. Gov. and Rev. & Tax.
967	-----	L. Gov.
969	-----	Health
978	-----	B. & P.
986	-----	Nat. Res. and Rev. & Tax.
990	-----	J., E.D. & E.
994	-----	E.,R. & C.A.
997	-----	W.,P. & W.
1005	-----	Pub. S.
1020	-----	B. & P. and L. Gov.
1050	-----	L. Gov.
1055	-----	E.,R. & C.A.
1061	-----	Ed. and Health
1063	-----	Higher Ed.
1074	-----	B. & P.
1084	-----	B. & P.
1106	-----	B. & P.
1131	-----	L. & E.
1141	-----	Health
1145	-----	L. Gov.
1150	-----	B. & P.
1152	-----	Pub. S.
1161	-----	Jud.
1169	-----	Rev. & Tax.
1181	-----	Ins. and Jud.
1187	-----	Nat. Res.
1229	-----	G.O. and Pub. S.
1244	-----	L. Gov.
1250	-----	Rev. & Tax. and Trans.
1254	-----	P.E.,R. & S.S. and Ins.
1264	-----	Rev. & Tax. and U. & C.
1275	-----	Rev. & Tax.
1276	-----	Rev. & Tax.
1280	-----	Trans.
1281	-----	P.E.,R. & S.S.
1283	-----	Nat. Res.
1290	-----	Nat. Res.
1292	-----	Health
1293	-----	Ins. and Trans.
1300	-----	E.,R. & C.A.
1313	-----	E.S. & T.M.
1314	-----	L. Gov. and U. & C.
1319	-----	Rev. & Tax. and U. & C.
1331	-----	E.S. & T.M.
1337	-----	P.E.,R. & S.S.
1345	-----	Pub. S.
1349	-----	Jud.
1357	-----	P.E.,R & S.S
1366	-----	Rev. & Tax. and U. & C.
1368	-----	B. & P.

1381	-----	L. Gov. and Nat. Res.
1387	-----	U. & C. and Jud.
1393	-----	W.,P. & W. and E.,R. & C.A.
1397	-----	G.O.
1398	-----	W P. & W. and Nat. Res.
1400	-----	Nat. Res.
1407	-----	Ed.
1410	-----	Trans. and L. Gov.
1414	-----	W.,P. & W. and Nat. Res.
1422	-----	Health and L. Gov.
1424	-----	Health and Jud.
1425	-----	Health and Hum. S.
1449	-----	Jud.
1451	-----	Health and Ins.
1452	-----	Health
1453	-----	G.O.
1458	-----	Rev. & Tax. and U. & C.
1474	-----	Trans. and Pub. S.
1475	-----	L. & E.
1482	-----	Nat. Res. and Jud.
1483	-----	E.S. & T.M. and Nat. Res.
1486	-----	H. & C.D. and Jud.
1496	-----	E.,R. & C.A.
1519	-----	Nat. Res. and U. & C.
1524	-----	Pub. S. and J., E.D. & E.
1526	-----	H. & C.D.
1527	-----	G.O.
1529	-----	U. & C. and Nat. Res.
1530	-----	B. & P. and Trans.
1538	-----	Trans. and E.,R. & C.A.
1543	-----	B. & P.
1551	-----	Higher Ed.
1553	-----	Nat. Res. and L. Gov.
1560	-----	B. & P.
1572	-----	Trans.
1573	-----	Nat. Res. and U. & C.
1574	-----	H. & C.D. and U. & C.
1579	-----	L. Gov.
1581	-----	B. & F. and B. & P.
1595	-----	H. & C.D. and Rev. & Tax.
1599	-----	W.,P. & W. and Pub. S.
1606	-----	L. Gov. and H. & C.D.
1611	-----	H. & C.D.
1613	-----	Trans.
1624	-----	J., E.D. & E. and Trans.
1631	-----	Rev. & Tax.
1636	-----	Rev. & Tax. and U. & C.
1637	-----	Agri. and Nat. Res.
1641	-----	H. & C.D.
1643	-----	Aging & L.T.C. and Health
1664	-----	E.S. & T.M. and Jud.
1687	-----	B. & P.
1690	-----	Hum. S.
1694	-----	Hum. S.

<b>1695</b>	-----	Hum. S.
<b>1696</b>	-----	Hum. S. and Pub. S.
<b>1706</b>	-----	Trans. and Jud.
<b>1719</b>	-----	Higher Ed. and B. & P.
<b>1723</b>	-----	U. & C.
<b>1724</b>	-----	Nat. Res. and U. & C.
<b>1725</b>	-----	J., Ed. & E.

*Senate*

<i>Bill No.</i>		<i>Committee</i>
<b>22</b>	-----	Rev. & Tax.
<b>53</b>	-----	H. & C.D.
<b>161</b>	-----	L. Gov.
<b>162</b>	-----	L. Gov.
<b>163</b>	-----	L. Gov.

**ADJOURNMENT**

At 5:35 p.m., pursuant to the motion by Assembly Member Bill Campbell the Assembly adjourned to reconvene upon Call of the Speaker, out of respect to the memory of Mary Kleiman Philips, on motion of Assembly Member Goldberg; out of respect to the memory of Dr. Leslie Koltai, on motion of Assembly Member Richman; and out of respect to the memory of Arthur Edell, on motion of Assembly Member Goldberg.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON MARCH 22, 2001**

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

<b>AB</b>	<b>RN</b>	
19	0109422	
135	0109324	
249	0109370	
278	0108400	
314	0109141	
345	0109051	
<b>Daily Total:</b>		<b>6</b>
<b>Cumulative Total:</b>		<b>75</b>

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