

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, April 2, 2001**

**FORTY-NINTH SESSION DAY**

**ONE HUNDRED TWENTIETH 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  
Monday, April 2, 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 Goldberg 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—76:

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

**PRAYER**

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

George Bernard Shaw wryly noted that “All great truths begin as blasphemies.”

There is something about this time of year that allows us to rethink the world in a radically different way. Spring is season of both birth and rebirth.

This time of year we are reminded that two great religions were born in the Spring, Passover which begins this weekend reminds us that an enslaved people had the audacity and courage to say, we have the right to live in both physical and spiritual freedom. And Easter gave us the concept that people can find redemption through the life of another.

Both were radical ideas in their time, met with resistance and cries of heresy. Both turned out to be great Truths that ennobled and enriched the lives of many.

May it be the will of the Creator that we all rejoice in the blessings of the season and find renewed meaning in our communal festivals.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley, Assembly Member Chan 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 Cox.

**LEAVES OF ABSENCE FOR THE DAY**

By unanimous consent, the following Assembly Members were granted leaves of absence for the day:

*Because of illness: Assembly Member Runner.*

*Because of illness in her family: Assembly Member Reyes.*

**COMMUNICATIONS**

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

April 2, 2001

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

Re: Assembly Judiciary Committee

Dear Dotson: This is to advise you that I have removed Assemblymember Christine Kehoe from the Assembly Judiciary Committee and am reducing the committee membership from 11 to 10 members.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

April 2, 2001

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

Re: Select Committee on Biotechnology

Dear Dotson: This is to advise you that I have appointed the following members to the Select Committee on Biotechnology:

Assemblymember Howard Wayne, Chair  
Assemblymember Ellen Corbett  
Assemblymember Lynn Daucher  
Assemblymember Dennis Hollingsworth  
Assemblymember Dave Kelley  
Assemblymember George Nakano  
Assemblymember Helen Thomson

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

April 2, 2001

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

Re: Select Committee on Palliative Care

Dear Dotson: This is to advise you that I have created the Select Committee on Palliative Care and have appointed Assemblymember Dion Aroner as the Chair.

Sincerely,

ROBERT M. HERTZBERG  
Speaker of the Assembly

April 2, 2001

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

RE: Appointment of Bill Campbell  
to Milton Marks "Little Hoover" Commission on  
California State Government Organization and Economy

Dear Mr. Wilson: Please be advised I have appointed Assemblymember Bill Campbell to the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy. This is a pleasure appointment starting April 2, 2001. Assemblymember Campbell will be replacing Assemblymember Wyman.

Very truly yours,

ROBERT M. HERTZBERG  
Speaker of the Assembly

April 2, 2001

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

RE: Appointment of John Dutra to State Allocation Board

Dear Mr. Wilson: Please be advised I have appointed Assemblymember John Dutra to the State Allocation Board. This is a pleasure appointment starting April 2, 2001. Assemblymember Dutra will be replacing Assemblymember Darrell Steinberg.

Very truly yours,

ROBERT M. HERTZBERG  
Speaker of the Assembly

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 138

Assembly Bill No. 424

Assembly Bill No. 712

Assembly Bill No. 849

Assembly Bill No. 905

Assembly Bill No. 1110

Assembly Bill No. 1127

Assembly Bill No. 1138

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 31

Assembly Bill No. 80

Assembly Bill No. 252

Assembly Bill No. 366

Assembly Bill No. 414

Assembly Bill No. 417

Assembly Bill No. 450

Assembly Bill No. 469

Assembly Bill No. 477

Assembly Bill No. 681

Assembly Bill No. 843

Assembly Bill No. 873

Assembly Bill No. 1126

Assembly Bill No. 1212

Assembly Bill No. 1347

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bills re-referred to committee.

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 158

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered returned to second reading file.

Assembly Chamber, April 2, 2001

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

Assembly Bill No. 102

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill ordered to third reading.

Assembly Chamber, April 2, 2001

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

Assembly Concurrent Resolution No. 34

Assembly Concurrent Resolution No. 39

Assembly Concurrent Resolution No. 40

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolutions ordered on file.

#### **AUTHOR'S AMENDMENTS**

##### **Committee on Public Employees, Retirement and Social Security**

April 2, 2001

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

Assembly Bill No. 1099

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

HAVICE, Chairwoman

**ASSEMBLY BILL NO. 1099**—An act to amend Section 75502 of the Government Code, relating to judges' retirement, 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 Transportation**

April 2, 2001

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

Assembly Bill No. 321

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 321**—An act to amend Section 41202 of, and to add Section 41204.2 to, the Education Code, to add Section 13984 to the Government Code, to amend Section 99316 of the Public Utilities Code, to amend Section 7104 of, and to add Section 7105 to, the Revenue and Taxation Code, and to add Section 894.5 to the Streets and Highways Code, relating to transportation, 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 Aging and Long-Term Care**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Aging and Long-Term Care reports:

Assembly Bill No. 109

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

COHN, Chairwoman

**ASSEMBLY BILL NO. 109**—An act to amend Section 15630 of the Welfare and Institutions Code, relating to human services.

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**

April 2, 2001

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

Assembly Bill No. 224

Assembly Bill No. 1222

Assembly Bill No. 847

Assembly Bill No. 1223

Assembly Bill No. 893

Assembly Bill No. 1224

Assembly Bill No. 1174

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

CORBETT, Chairwoman

**ASSEMBLY BILL NO. 224**—An act to amend Section 50680 of the Health and Safety Code, relating to housing.

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. 847**—An act to amend and repeal Section 17052.6 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. 893**—An act to amend and repeal Sections 6359 and 6359.2 of, and to add Sections 6359 and 6359.2 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. 1174**—An act to add Section 17053.51 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. 1222**—An act to add and repeal Section 17053.79 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. 1223**—An act to amend Section 96.19 of 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. 1224**—An act to amend Section 24472 of 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.

**RE-REFERENCE OF BILLS**

Assembly Member Shelley was granted unanimous consent that the following bills be re-referred as noted:

Assembly Bill No. 226 from the Committee on Utilities and Commerce, to the Committees on Revenue and Taxation and Local Government;

Assembly Bill No. 112 from the Committee on Housing and Community Development, to the Committee on Judiciary.

**SUSPEND THE RULES AND WAIVE JOINT RULE 62(a)**

Assembly Member Shelley was granted unanimous consent that Assembly Rule 56 be suspended for the purpose of permitting the Committee on Water, Parks and Wildlife to notice hearing of Senate Bill No. 23 in the Assembly Daily File, prior to referral to the committee; and that Joint Rule 62(a) be waived for the purpose of setting the bill for hearing on Wednesday, April 3, 2001.

**RESOLUTIONS**

The following resolutions were offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 45—Hertzberg.** Relative to California Community College Month.

**ASSEMBLY CONCURRENT RESOLUTION NO. 46—Florez.** Relative to the Korean War Veterans Memorial Highway.

**ASSEMBLY CONCURRENT RESOLUTION NO. 47—Florez.** Relative to the George Alan Ingalls Memorial Highway.

**ASSEMBLY CONCURRENT RESOLUTION NO. 48—La Suer.** Relative to National Crime Victims' Rights Week.

**PRIVILEGE OF THE FLOOR**

Upon request of Assembly Member Shelley, Assembly Member Koretz was granted unanimous consent that the privileges of the Floor be extended to his daughter, Rachel Koretz.

**RECESS**

By unanimous consent, at 11:24 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 11:24 a.m., the Assembly reconvened.

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

**RECESS**

By unanimous consent, at 11:28 a.m., Speaker pro Tempore Keeley declared the Assembly recessed.

**RECONVENED**

At 11:33 a.m., the Assembly reconvened.

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



**CONSIDERATION OF DAILY FILE  
ASSEMBLY BILLS RETURNED TO SECOND READING FILE  
PURSUANT TO THE RULES**

Pursuant to the Assembly Rules, the following Assembly bill was this day on the second reading file:

**Assembly Bill No. 158**, ordered to the Consent Calendar.

**SECOND READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 131**—An act to amend Section 14133 of the Welfare and Institutions Code, relating to Medi-Cal.

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

**ASSEMBLY BILL NO. 6**—An act to add Sections 8483.75, 8483.76, and 8483.77 to, and to amend and repeal Section 8484.3 of, the Education Code, relating to before and after instructional day school programs.

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

**ASSEMBLY BILL NO. 12**—An act to amend Section 41202 of, to add Section 41202.5 to, and to add Chapter 12.7 (commencing with Section 17079.10) to Part 10 of, the Education Code, relating to school facilities, and making an appropriation therefor.

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

**ASSEMBLY BILL NO. 75**—An act to add and repeal Article 4.6 (commencing with Section 44510) of Chapter 3 of Part 25 of the Education Code, relating to certificated school employees.

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

**ASSEMBLY CONCURRENT RESOLUTION NO. 4**—Relative to the Stanley L. Van Vleck Memorial Highway.

Resolution read; amendments proposed by the Committee on Appropriations read and adopted, resolution ordered reprinted and to be placed upon the Consent Calendar.

**THIRD READING OF ASSEMBLY BILLS**

**ASSEMBLY BILL NO. 213 (Nation)**—An act to amend Section 5328 of the Welfare and Institutions Code, relating to mental health.

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

**AYES—74**

Aanestad	Cox	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	Papan	Zettl
Cohn	Koretz	Pavley	Mr. Speaker
Corbett	La Suer	Pescetti	
Correa	Leach	Richman	

**NOES—1**

Leonard

Bill ordered transmitted to the Senate.

**ASSEMBLY BILL NO. 102 (Rod Pacheco)**—An act to amend Sections 11165.5, 11165.6, 11165.7, 11165.9, 11166, 11166.2, 11166.3, 11166.5, 11166.7, 11166.9, 11166.95, 11167, 11169, 11170, and 11172 of, and to add Section 11166.05 to, the Penal Code, relating to crime reporting and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Urgency Clause**

Urgency clause read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

The question being on the passage of the bill.

Bill passed by the following vote:

**AYES—75**

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

**NOES—None**

Bill ordered transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 34 (Corbett)**—Relative to California Earthquake Preparedness Month.

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 34**

Assembly Member Corbett was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 34.

**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, Correa, Cox, Daucher, Diaz, Dickerson, Dutra, Firebaugh, Florez, Frommer, Goldberg, Harman, Havice, Hertzberg, 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, Richman, Salinas, Shelley, Simitian, Steinberg, Strickland, Strom-Martin, Thomson, Vargas, Washington, Wayne, Wesson, Wiggins, Wright, Wyland, Wyman, and Zettel.

**Request for Unanimous Consent**

Assembly Member Corbett was granted unanimous consent to take up Assembly Concurrent Resolution No. 34, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 34, as Amended**

**ASSEMBLY CONCURRENT RESOLUTION NO. 34**—Relative to California Earthquake Preparedness Month.

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**ASSEMBLY CONCURRENT RESOLUTION NO. 39 (Mountjoy)**—Relative to Work Zone Safety Awareness Week.

Resolution read, and adopted by the following vote:

**AYES—75**

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

**NOES—None**

Resolution ordered transmitted to the Senate.

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

Resolution read.

**Members Made Coauthors of  
Assembly Concurrent Resolution No. 40**

Assembly Member Leach was granted unanimous consent to open the roll for the purpose of permitting Members to add as coauthors of Assembly Concurrent Resolution No. 40.

**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, La Suer, Leonard, Leslie, Liu, Longville, Lowenthal, Maddox, Maldonado, Matthews, Migden, Mountjoy, Nakano, Nation, Negrete McLeod, Oropeza, Robert Pacheco, Rod Pacheco, Papan, Pavley, Pescetti, Richman, 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 Assembly Concurrent Resolution No. 40, as amended, without reference to print or file, and that the same be considered engrossed.

**Consideration of Assembly Concurrent Resolution No. 40, as Amended**

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

Resolution read, as amended, and adopted.

Resolution ordered printed, and transmitted to the Senate.

**CONSIDERATION OF CONSENT CALENDAR**

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

**Consent Calendar—Assembly Resolutions**

**ASSEMBLY CONCURRENT RESOLUTION NO. 18 (Frommer)**—Relative to El Salvador and India earthquake relief.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**ASSEMBLY CONCURRENT RESOLUTION NO. 28 (Briggs)**—Relative to the Peter Hillman Memorial Interchange.

Resolution read, adopted, and ordered transmitted to the Senate.

*(For the vote on the above resolution, see this day's  
Consent Calendar roll call.)*

**Consent Calendar Roll Call**

The roll was called, and the above resolutions on the Consent Calendar were adopted by the following vote:

**AYES—75**

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

**NOES—None****ANNOUNCEMENTS**

Speaker pro Tempore Keeley announced the following session schedule:

Tuesday, April 3, 2001, Check-in Session, 7 a.m.—3 p.m.;

Wednesday, April 4, 2001, Floor Session, 9:30 a.m.;

Thursday, April 5, 2001, Floor Session, 8:30 a.m.

**COMMITTEE MEETING ANNOUNCEMENTS**

Assembly Member Cardoza announced that the Committee on Rules would meet today, upon adjournment of Floor session, in the Tom Bane Rules Committee Room.

Assembly Member Wright announced that the Committee on Utilities and Commerce would meet today, upon adjournment of the Committee on Energy Costs and Availability (First Extraordinary Session).

**ANNOUNCEMENTS**

Assembly Members Liu and Wesson announced that April 3, 2001 is “Equal Pay Day”.

**CAUCUS ANNOUNCEMENTS**

Assembly member Aroner announced that the Democratic Caucus would meet today, upon adjournment of the Rules Committee meeting in the Assembly Lounge.

**BILL ORDERED TRANSMITTED TO SENATE**

Assembly Member Ashburn was granted unanimous consent that Assembly Concurrent Resolution No. 39 be transmitted to the Senate immediately.

### ADJOURN IN MEMORY

Assembly Member Maddox was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mirwais Tukhi, of Buena Park.

Assembly Member Shelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Bill Kimpton, of San Francisco.

### VOTE ADDS

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

**Assembly Bill No. 213:** Briggs, Bill Campbell, and Pescetti—Aye.

**Assembly Bill No. 102 and Urgency:** Briggs and Pescetti—Aye.

**Assembly Concurrent Resolution No. 39:** Cardenas—Aye.

### MOTION TO ADJOURN

At 12:11 p.m., Assembly Member Washington moved that the Assembly do now adjourn.

Assembly Member John Campbell seconded the motion.

### REMARKS ON CONDITION OF THE FILE

Assembly Members Goldberg and Jackson arose to speak on the condition of the file.

### FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

### QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:16 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

### REFERENCE OF BILLS COMMITTEE

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

#### *Assembly*

<i>Bill No.</i>	<i>Committee</i>
<b>476</b> -----	Trans.
<b>1054</b> -----	Rev. & Tax.
<b>1080</b> -----	Higher Ed.
<b>1163</b> -----	B. & F.
<b>1190</b> -----	B. & F.
<b>1395</b> -----	Jud. and Hum. S.

#### *House*

<i>Resolution No.</i>	<i>Committee</i>
<b>8</b> -----	Pub. S.
<b>9</b> -----	P.E., R. & S.S.
<b>11</b> -----	Rls.

#### *Senate*

<i>Bill No.</i>	<i>Committee</i>
<b>23</b> -----	W., P. & W.
<b>45</b> -----	G.O.

**AUTHOR'S AMENDMENTS**  
**Committee on Governmental Organization**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Governmental Organization reports:  
Assembly Bill No. 412

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

WESSON, Chairman

**ASSEMBLY BILL NO. 412**—An act to add Section 22962 to the Business and Professions Code, to amend Section 118950 of the Health and Safety Code, and to add Section 308.3 to the Penal Code, relating to tobacco products.

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**

April 2, 2001

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

Assembly Bill No. 310

Assembly Bill No. 1137

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

WIGGINS, Chairwoman

**ASSEMBLY BILL NO. 310**—An act to amend Section 66477 of the Government Code, relating to subdivisions.

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. 1137**—An act to amend Section 96.19 of the Revenue and Taxation Code, relating to local government finance, 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 Environmental Safety and Toxic Materials**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Environmental Safety and Toxic Materials reports:

Assembly Bill No. 1204

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

JACKSON, Chairwoman

**ASSEMBLY BILL NO. 1204**—An act to amend Section 5652 of the Fish and Game Code, relating to water pollution.

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**

April 2, 2001

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

Assembly Bill No. 297

Assembly Bill No. 717

Assembly Bill No. 303

Assembly Bill No. 876

Assembly Bill No. 612

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

STROM-MARTIN, Chairwoman

**ASSEMBLY BILL NO. 297**—An act to amend and repeal Section 8484.3 of the Education Code, relating to before and after school programs.

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. 303**—An act to add Section 56213 to the Education Code, relating to special education.

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. 612**—An act to add Sections 52085 and 52120.1 to the Education Code, relating to class size reduction.

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. 717**—An act to add Chapter 8.8 (commencing with Section 52290) to Part 28 of the Education Code, relating to education technology.

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. 876**—An act to add Chapter 16.5 (commencing with Section 53076) to Part 28 of the Education Code, relating to pupil performance.

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**

April 2, 2001

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

Assembly Bill No. 1641

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

LOWENTHAL, Chairman

**ASSEMBLY BILL NO. 1641**—An act to add Section 1366.2 to the Civil Code, relating to common interest developments.

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 Banking and Finance**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Banking and Finance reports:

Assembly Bill No. 1190

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

PAPAN, Chairman

**ASSEMBLY BILL NO. 1190**—An act to amend the heading of Article 3 (commencing with Section 14300) of Chapter 3 of Division 5 of the Financial Code, relating to credit unions.

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**

April 2, 2001

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

Assembly Bill No. 770

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

DUTRA, Chairman

**ASSEMBLY BILL NO. 770**—An act to amend Section 28090 of the Vehicle Code, relating to vehicles.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Health**

April 2, 2001

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

Assembly Bill No. 447

Assembly Bill No. 1557

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

THOMSON, Chairwoman

**ASSEMBLY BILL NO. 447**—An act to amend Section 1601.5 of the Business and Professions Code, relating to dentistry.

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. 1557**—An act to amend Section 128725 of the Health and Safety Code, relating to health.

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**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Business and Professions reports:

Assembly Bill No. 266

Assembly Bill No. 1442

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

CORREA, Chairman

**ASSEMBLY BILL NO. 266**—An act to amend Section 7312 of the Business and Professions Code, relating to barbering and cosmetology.

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. 1442**—An act to amend Sections 3400 and 10129 of the Public Contract Code, relating to public contracts.

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 Safety**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Public Safety reports:

House Resolution No. 8

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

WASHINGTON, Chairman

**HOUSE RESOLUTION NO. 8**—Relative to the Amber Plan; an early warning system to prevent child kidnappings.

Resolution read; author's amendments, presented pursuant to Assembly Rules, read and adopted; resolution ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS****Committee on Jobs, Economic Development, and the Economy**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Jobs, Economic Development, and the Economy reports:

Assembly Bill No. 805

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

REYES, Chairwoman

**ASSEMBLY BILL NO. 805**—An act to add Section 11722 to the Government Code, relating to information technology.

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**

April 2, 2001

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

Assembly Bill No. 1395

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 1395**—An act to add Section 16124 to the Welfare and Institutions Code, relating to adoption, 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 Public Safety**

April 2, 2001

Mr. Speaker: The Chair of your Committee on Public Safety reports:

Assembly Bill No. 1139

Assembly Bill No. 1152

Assembly Bill No. 1243

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

WASHINGTON, Chairman

**ASSEMBLY BILL NO. 1139**—An act to amend Section 6389 of the Family Code, and to amend Sections 12001, 12026.2, 12030, 12070, 12072, 12073, and 12078 of the Penal Code, relating to firearms.

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. 1152**—An act to amend Section 1031 of the Government Code, relating to peace officers.

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. 1243**—An act to add Section 3069 to the Penal Code, relating to parole.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Insurance**

April 2, 2001

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

Assembly Bill No. 519

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

CALDERON, Chairman

**ASSEMBLY BILL NO. 519**—An act relating to workers' compensation.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Judiciary**

April 2, 2001

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

Assembly Bill No. 237

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

STEINBERG, Chairman

**ASSEMBLY BILL NO. 237**—An act to amend the heading of Article 6 (commencing with Section 1250.410) of Chapter 5 of Title 7 of Part 3 of, to amend Sections 1250.410, 1255.010, 1258.220, and 1258.260 of, and to add Sections 1250.420, 1250.430, and 1260.040 to the Code of Civil Procedure, and to amend Sections 7267.1 and 7267.2 of the Government Code, relating to eminent domain procedure.

Bill read second time; author's amendments, presented pursuant to Assembly Rules, read and adopted; bill ordered reprinted, and to be re-referred to the committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Insurance**

April 2, 2001

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

Assembly Bill No. 1193

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

CALDERON, Chairman

**ASSEMBLY BILL NO. 1193**—An act to amend Section 790.03 of, and to add Section 676.10 to, the Insurance Code, relating to insurance.

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. 128

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

STROM-MARTIN, Chairwoman

Above bill ordered to second reading.

**MESSAGES FROM THE SENATE**

Senate Chamber, April 2, 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. 20

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

Senate Chamber, April 2, 2001

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

Senate Bill No. 129  
Senate Bill No. 238

Senate Bill No. 669  
Senate Bill No. 716

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

Senate Chamber, April 2, 2001

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

Senate Concurrent Resolution No. 9

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. 129**—An act to amend Section 3605 of the Penal Code, relating to death penalty executions.

**SENATE BILL NO. 238**—An act to add Section 995.245 to the Code of Civil Procedure, relating to bonds and undertakings.

**SENATE BILL NO. 669**—An act to amend Section 16249 of, to add Part 19 (commencing with Section 850) to Division 2 of, to repeal Sections 2619.5 and 17200.2 of, to repeal Article 6 (commencing with Section 2520) of Chapter 6 of Part 4 of Division 4 of, to repeal Chapter 11 (commencing with Section 9860) of Part 5 of Division 7 of, and to repeal and add Section 17200.1 of, the Probate Code, relating to estates and trusts.

**SENATE BILL NO. 716**—An act to amend Section 1010 of the Evidence Code, relating to privileged communications.

The following resolution was read:

**SENATE CONCURRENT RESOLUTION NO. 9**—Relative to the Vincente “Vince” Andrade Memorial Bridge.

### INTRODUCTION OF GUESTS

Assembly Member Bill Campbell, of the 71st Assembly District, introduced former Assembly Member George House.

Assembly Member Hollingsworth, of the 66th Assembly District, introduced Sergeant Lennie Hollingsworth of San Jacinto; Detective Kevin Duffy, of Hemet; Hemet Chief of Police Pete Hewitt; other official representatives from the Hemet Police Department, and the Hemet Police and Sheriff Activities League Children. Assembly Member Hollingsworth also introduced Mrs. Susan Louck and children, Brandon and Lauren, of Temecula; and Mrs. Wendy Biggam and children, Matthew, Andrew and Rachel, of Temecula.

### ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Washington, the Assembly adjourned until 7 a.m., Tuesday, April 3, 2001, out of respect to the memory of Mirwais Tukhi, on motion of Assembly Member Maddox; and out of respect to the memory of Bill Kimpton, on motion of Assembly Member Shelley.

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ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

## AMENDMENTS CONSIDERED BY THE ASSEMBLY ON APRIL 2, 2001

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

**AB RN**

6 0109653  
12 0109654  
75 0109630  
109 0109942  
131 0110229  
224 0109647  
237 0109782  
266 0110032  
297 0109929  
303 0109690  
310 0109419  
321 0110182  
412 0110088  
447 0110227  
519 0109713  
612 0110025  
717 0109749  
770 0110183  
805 0110043  
847 0109089  
876 0109480  
893 0109845

**AB RN**

1099 0109211  
1137 0110290  
1139 0110242  
1152 0110198  
1174 0109777  
1190 0109824  
1193 0110263  
1204 0109055  
1222 0109412  
1223 0108715  
1224 0109723  
1243 0110162  
1395 0109923  
1442 0108877  
1557 0109433  
1641 0110311

**ACR RN**

4 0109988

**HR RN**

8 0108936

**Daily Total: 40**  
**Cumulative Total: 330**

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