

CALIFORNIA LEGISLATURE
2001–02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, June 5, 2002

**TWO HUNDRED EIGHTH SESSION DAY
FIVE HUNDRED FORTY-NINTH 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, June 5, 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—72:

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

Quorum present.

At 11:01 a.m., Hon. Virginia Strom-Martin, 1st 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 Bates, Cárdenas, Cardoza, Hertzberg, Migden, and Strickland.

On personal business, and waiving per diem: Assembly Member Corbett.

Because of illness in his family: Assembly Member Cedillo.

EXPLANATIONS OF ABSENCE

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

June 5, 2002

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

Dear Mr. Speaker: I am writing to request that I be excused from check-in session on Wednesday, June 5, 2002, to attend to legislative business within my district. If you have any questions, please contact Martha Nicholas in my office at (916) 319-2073.

Sincerely,

PATRICIA BATES, Assembly Member
Seventy-third District

May 31, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from Check-In Session on Wednesday, June 5, 2002 so that I may conduct legislative business in my District.

Thank you for your consideration of this request.

Sincerely,

TONY CÁRDENAS, Assembly Member
Thirty-ninth District

May 30, 2002

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

Dear Mr. Speaker: I am respectfully requesting to be excused from check in on Wednesday, June 5th, 2002 to conduct legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CAROLE MIGDEN, Assembly Member
Thirteenth District

(NOTE: For letters explaining the absences of Assembly Members Cardoza, Hertzberg, and Strickland on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for June 4, 2002.)

COMMUNICATIONS

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

May 31, 2002

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

RE: Appointment of Robert D. Gibson
to Public Employees' Medical and Hospital Care Act Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Robert D. Gibson to the Public Employees' Medical and Hospital Care Act Panel as my representative of a school of pharmacy. This is a pleasure appointment starting May 31, 2002.

Sincerely,

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

May 31, 2002

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

RE: Appointment of Merrill R. Jacobs
to Public Employees' Medical and Hospital Care Act Panel

Dear Mr. Wilson: Please be advised I have appointed Mr. Merrill R. Jacobs to the Public Employees' Medical and Hospital Care Act Panel as my representative of the Pharmaceutical Research and Manufacturers of America. This is a pleasure appointment starting May 31, 2002.

Sincerely,

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

May 31, 2002

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

RE: Appointment of Ms. Marilyn S. Shreve to the Public
Employees' Medical and Hospital Care Act Panel

Dear Dotson: Please be advised that I have appointed Ms. Marilyn S. Shreve to the Public Employees' Medical and Hospital Care Act Panel as my representative of the California Pharmacists Association. This is a pleasure appointment starting May 31, 2002.

Sincerely,

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

June 5, 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 Jackie Goldberg to replace Assemblymember Carole Migden on the Assembly Labor and Employment Committee for today's hearing only.

Sincerely,

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

June 5, 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 Manny Diaz to replace Assemblymember Darrell Steinberg on the Assembly Local Government Committee, for today's hearing only.

Sincerely,

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

COMMUNICATIONS
Proposed Initiatives

The following communications were presented by the Chief Clerk from:

Tricia Knight, Initiative Coordinator, Department of Justice, Office of the Attorney General, Sacramento, transmitting copies of the title, summary, and text of the following proposed initiatives, pursuant to Section 9007, Elections Code:

Community Service Requirement for High School Graduation.
Initiative Statute. SA 2002RF0014

Referred by the Speaker to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 50—Longville. Relative to Juneteenth.

AUTHOR'S AMENDMENTS
Committee on Natural Resources

June 5, 2002

Mr. Speaker: The Chair of your Committee on Natural Resources reports:
Senate Bill No. 2088

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

WAYNE, Chairman

SENATE BILL NO. 2088—An act relating to 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 Health

June 5, 2002

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

Senate Bill No. 1529

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

THOMSON, Chairwoman

SENATE BILL NO. 1529—An act to amend Section 1091.3 of the Government Code, relating to conflict of interest, and declaring the urgency thereof, to take effect immediately.

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

AUTHOR'S AMENDMENTS

Committee on Judiciary

June 5, 2002

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

Senate Bill No. 1512

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

CORBETT, Chairwoman

SENATE BILL NO. 1512—An act to amend Sections 7666, 7669, 7807, and 7901 of the Family Code, relating to family law proceedings.

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 Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: June 4, 2002

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Assembly Concurrent Resolution No. 210

With the recommendation: Be adopted.

COHN, Chairwoman

Above resolution ordered to third reading.

Date of Hearing: June 4, 2002

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Senate Joint Resolution No. 29

With the recommendation: Be adopted.

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

COHN, Chairwoman

Above resolution ordered to the Consent Calendar.

Committee on Housing and Community Development

Date of Hearing: June 5, 2002

Mr. Speaker: Your Committee on Housing and Community Development reports:
Senate Bill No. 1935

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.

LOWENTHAL, Chairman

Above bill ordered to second reading.

Committee on Arts, Entertainment, Sports, Tourism, and Internet Media

Date of Hearing: June 4, 2002

Mr. Speaker: Your Committee on Arts, Entertainment, Sports, Tourism, and Internet Media reports:

Senate Bill No. 2063

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

COHN, Chairwoman

Above bill re-referred to the Committee on Appropriations.

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

SENATE BILL NO. 1263—An act to amend Sections 4830 and 4848 of, and to add Section 4854.5 to, the Business and Professions Code, relating to veterinary medicine.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1370—An act to amend Section 2937 of the Civil Code, relating to debt.

Bill read second time, and ordered to third reading.

SENATE BILL NO. 1271—An act to amend Section 5501 of the Probate Code, relating to nonprobate transfers.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1322—An act to amend Sections 512.060, 514.020, 515.010, 515.020, 703.580, and 703.610 of the Code of Civil Procedure, relating to debtor and creditor relations.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1325—An act to amend Section 418.10 of the Code of Civil Procedure, relating to personal jurisdiction.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1359—An act to amend Section 434.5 of the Government Code, relating to display of the American flag.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 1371—An act to amend Section 269 of, to add Section 271 to, and to repeal Section 274c of, the Code of Civil Procedure, to amend Section 69950 of, and to repeal Section 72197 of, the Government Code, and to amend Sections 190.9 and 1539 of the Penal Code, relating to court reporting.

Bill read second time, and ordered to Consent Calendar.

SENATE BILL NO. 2061—An act to amend Sections 912, 917, and 952 of the Evidence Code, relating to electronic communications and evidentiary privileges.

Bill read second time, and ordered to Consent Calendar.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 8:30 a.m., Thursday, June 6, 2002.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

AMENDMENTS CONSIDERED BY THE ASSEMBLY ON JUNE 5, 2002

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

SB	RN
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1512	0211527
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1529	0211575
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2088	0211679
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Daily Total:	3
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Cumulative Total:	5207
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