

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Tuesday, June 19, 2001

NINETIETH SESSION DAY

ONE HUNDRED NINETY-EIGHTH 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
Tuesday, June 19, 2001

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—79:

Aanestad	Cox	Leonard	Richman
Alquist	Daucher	Leslie	Runner
Aroner	Diaz	Liu	Salinas
Ashburn	Dickerson	Longville	Shelley
Bates	Dutra	Lowenthal	Simitian
Bogh	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
Chan	Jackson	Oropeza	Wiggins
Chavez	Keeley	Pacheco, Robert	Wright
Chu	Kehoe	Pacheco, Rod	Wyland
Cogdill	Kelley	Papan	Wyman
Cohn	Koretz	Pavley	Zettel
Corbett	La Suer	Pescetti	Mr. Speaker
Correa	Leach	Reyes	

Quorum present.

At 11:40 a.m., Hon. Jay La Suer, 77th 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 Member was granted leave of absence for the day:

Because of illness in his family: Assembly Member Cedillo.

COMMUNICATIONS

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

June 19, 2001

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

Re: Assembly Public Safety Committee

Dear Dotson: This is to advise you that I have appointed Assemblymember Rebecca Cohn to replace Assemblymember Gil Cedillo on the Assembly Public Safety Committee for today's hearing only.

Sincerely,

ROBERT M. HERTZBERG
Speaker of the Assembly

REPORTS

The following reports were presented by the Chief Clerk:

**Streamlining Application and Enrollment for
the Healthy Families Program and Medi-Cal for Children
(Pursuant to Chapter 93 of the Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Grantland Johnson, Secretary, Health and Human Services Agency, dated June 5, 2001, referred by the Speaker to the Committee on Health.

**Products and Services
Provided by Prison Industry Authority
to the Department of Pesticide Regulation
(Pursuant to Penal Code Section 2807)**

Above transmitted report, together with letter of transmittal from Paul E. Helliker, Director, Department of Pesticide Regulation, dated March 14, 2001, referred by the Speaker to the Committee on Public Safety.

**Quarterly Report
for the California School Information Services
Independent Project Oversight
(Pursuant to the Budget Act of 2000)**

Above transmitted report, together with letter of transmittal from B. Teri Burns, Deputy Superintendent, Government Affairs Branch, Department of Education, dated June 5, 2001, referred by the Speaker to the Committee on Budget.

**Attorney General's Report on Electronic Interceptions
(Pursuant to Penal Code Section 629.62)**

Above transmitted report, together with letter of transmittal from Chris Janzen, Director, Department of Justice, dated June 4, 2001, referred by the Speaker to the Committee on Public Safety.

**Cost Impact of CAL/OSHA Regulations
to Be Considered at Public Hearing July 19, 2001, San Diego
(Pursuant to State Administrative Manual Section 6050)**

Above transmitted report, together with letter of transmittal from John D. MacLeod, Executive Officer, Occupational Safety and Health Standards Board, dated June 1, 2001, referred by the Speaker to the Committee on Labor and Employment.

**Section 100 Report, 2001:
Safety and Long-Term Maintenance Issues
on Fragmented Gaps in State Highways
(Pursuant to Streets and Highways Code Section 100)**

Above transmitted report, together with letter of transmittal from Janet S. Dawson, Acting Chief, Department of Transportation, dated June 4, 2001, referred by the Speaker to the Committee on Transportation.

Reports on the Methodology to Be Used in the Resource Assessment

Above transmitted report, together with letter of transmittal from Mary D. Nichols, Secretary, Resources Agency, dated June 1, 2001, referred by the Speaker to the Committee on Budget.

Uninsured Californians in Assembly and Senate Districts, 2000

Above transmitted report, together with letter of transmittal from Robert K. Ross, MD, President and CEO, The California Endowment, and E. Richard Brown, PhD, Director, UCLA Center for Health Policy Research, dated May 22, 2001, referred by the Speaker to the Committee on Insurance.

**Law Revision Commission Reports and Recommendations
(Pursuant to Government Code Sections 8291 and 9795)**

Above transmitted report, together with letter of transmittal from Nathaniel Sterling, Executive Secretary, California Law Revision Commission, dated June 4, 2001, referred by the Speaker to the Committee on Governmental Organization.

**Annual Report
of Contracts for Consultant/Professional Services—External
(Pursuant to Business and Professions Code Section 5025.1)**

Above transmitted report, together with letter of transmittal from Sailaja Cherukuri, Deputy Director, Department of Consumer Affairs, dated June 13, 2001, referred by the Speaker to the Committee on Business and Professions.

**Small Business Annual Report 1999–2000
(Pursuant to Government Code Section 14840)**

Above transmitted report, together with letter of transmittal from Barry D. Keene, Director, Department of General Services, dated June 8, 2001, referred by the Speaker to the Committee on Business and Professions.

**Medical Conditions and Other Factors in Driver Risk
(Pursuant to Chapter 985 of the Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Steven Gourley, Director, Department of Motor Vehicles, dated June 11, 2001, referred by the Speaker to the Committee on Transportation.

**Accounts Receivable Management Act Report
(Pursuant to Government Code Section 16580)**

Above transmitted report, together with letter of transmittal from Paul E. Helliker, Director, Department of Pesticide Regulation, dated May 30, 2001, referred by the Speaker to the Committee on Environmental Safety and Toxic Materials.

**Draft Budget and Draft Work Program
(Pursuant to Chapter 1702 of the Statutes of 1990)**

Above transmitted report, together with letter of transmittal from Barry R. Wallerstein, D. Env., Executive Officer, South Coast Air Quality Management District, dated June 5, 2001, referred by the Speaker to the Committee on Natural Resources.

RESOLUTIONS

The following resolution was offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 89—ASHBURN
(Coauthors: Briggs, Cogdill, Reyes, and Wyman) (Coauthors: Senators Costa, Monteith, and Poochigian). Relative to Valley Fever Awareness Month.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, June 19, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Bill No. 1738

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above bill re-referred to committee.

Assembly Chamber, June 19, 2001

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:
Assembly Constitutional Amendment No. 8

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution ordered on file.

AUTHOR'S AMENDMENTS

Committee on Housing and Community Development

June 19, 2001

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

Senate Bill No. 920

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

LOWENTHAL, Chairman

SENATE BILL NO. 920—An act to add Section 798.43.1 to the Civil Code, relating to mobilehomes.

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

June 19, 2001

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

Assembly Bill No. 224

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 224—An act to amend Sections 30123 and 30131.2 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 Judiciary

June 19, 2001

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

Senate Bill No. 958

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

STEINBERG, Chairman

ASSEMBLY BILL NO. 958—An act to amend Sections 2924c and 2924d of the Civil Code, relating to real 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.

AUTHOR'S AMENDMENTS
Committee on Business and Professions

June 19, 2001

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

Senate Bill No. 929

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

CORREA, Chairman

SENATE BILL NO. 929—An act to amend Sections 7139.1 and 7139.2 of the Business and Professions Code, relating to contractors.

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

June 19, 2001

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

Assembly Bill No. 1601

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

CORBETT, Chairwoman

ASSEMBLY BILL NO. 1601—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.

AUTHOR'S AMENDMENTS
Committee on Revenue and Taxation

June 19, 2001

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

Senate Bill No. 409

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

CORBETT, Chairwoman

SENATE BILL NO. 409—An act to amend Sections 12209, 17053.57, and 23657 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 Transportation

June 19, 2001

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

Senate Bill No. 290

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

DUTRA, Chairman

SENATE BILL NO. 290—An act to amend Section 11011.18 of, and to repeal Section 14529.3 of, the Government Code, to amend Sections 42803.5 and 42950 of the Public Resources Code, to amend Sections 302 and 325 of the Streets and Highways Code, and to amend Section 20002 of, and to add Section 24612 to, the Vehicle Code, relating to transportation.

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

June 19, 2001

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

Senate Bill No. 883

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

WIGGINS, Chairwoman

SENATE BILL NO. 883—An act to amend Sections 60602 and 60614 of, and to add Section 60167 to, the Water Code, relating to water.

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

June 19, 2001

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

Senate Bill No. 325

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

LOWENTHAL, Chairman

SENATE BILL NO. 325—An act to amend Sections 18205, 18210, 18214, 18214.1, 18214.5, 18251, 18252, 18254, 18300, 18303, 18402, 18502, 18502.5, 18503, 18550, 18604, 18605, 18610.5, 18620, 18630, 18640, 18670, and 18690 of, to amend and renumber the heading of Part 2.3 (commencing with Section 18897) of Division 13 of, to add Section 18300.25 to, to add Part 2.3 (commencing with Section 18860) to Division 13 of, and to repeal Sections 18203.2, 18203.5, 18208, 18215, 18216.1, 18217, 18219, 18250.5, 18300.5, 18301, 18606, 18607, 18615, 18615.5, and 18616 of, the Health and Safety Code, and to amend Section 5003.4 of the Public Resources Code, relating to mobilehome and special occupancy parks, and making an appropriation therefor.

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

REPORTS OF STANDING COMMITTEES

Committee on Natural Resources

June 6, 2001

Mr. Speaker: Your Committee on Natural Resources reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 597

WAYNE, Chairman

Above bill ordered filed with the Chief Clerk.

June 6, 2001

Mr. Speaker: Your Committee on Natural Resources reports the following bill pursuant to the provisions of Joint Rule 62(a):

Assembly Bill No. 1272

WAYNE, Chairman

Above bill ordered filed with the Chief Clerk.

Committee on Revenue and Taxation

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 1187

With the recommendation: Do pass.

CORBETT, Chairwoman

Above bill ordered to second reading.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Revenue and Taxation reports:

Senate Bill No. 12

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

CORBETT, Chairwoman

Above bill re-referred to the Committee on Appropriations.

Committee on Transportation

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 568

Senate Bill No. 1100

Senate Bill No. 790

Senate Bill No. 1173

Senate Bill No. 1081

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

DUTRA, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 767

Senate Bill No. 800

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

DUTRA, Chairman

Above bills re-referred to the Committee on Appropriations.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Bill No. 42

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.

DUTRA, Chairman

Above bill ordered to second reading.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Transportation reports:

Senate Concurrent Resolution No. 17

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations.

DUTRA, Chairman

Above resolution re-referred to the Committee on Appropriations.

Committee on Natural Resources

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 909

With the recommendation: Do pass.

WAYNE, Chairman

Above bill ordered to second reading.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 951

With the recommendation: Do pass, and be re-referred to the Committee on Business and Professions with recommendation: To Consent Calendar.

WAYNE, Chairman

Above bill re-referred to the Committee on Business and Professions.

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Natural Resources reports:

Senate Bill No. 482

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

WAYNE, Chairman

Above bill re-referred to the Committee on Judiciary.

Committee on Banking and Finance

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 28

Senate Bill No. 1225

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

PAPAN, Chairman

Above bills re-referred to the Committee on Appropriations.

Committee on Judiciary

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Concurrent Resolution No. 13

With the recommendation: Be adopted, and be re-referred to the Committee on Appropriations with recommendation: To Consent Calendar.

STEINBERG, Chairman

Above resolution re-referred to the Committee on Appropriations.

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 817

Senate Bill No. 1151

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 bills be placed on the Consent Calendar.

STEINBERG, Chairman

Above bills ordered to second reading.

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 303

Senate Bill No. 381

Senate Bill No. 425

With the recommendation: Do pass.

STEINBERG, Chairman

Above bills ordered to second reading.

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Judiciary reports:

Senate Bill No. 1218

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

STEINBERG, Chairman

Above bill re-referred to the Committee on Appropriations.

Committee on Banking and Finance

Date of Hearing: June 18, 2001

Mr. Speaker: Your Committee on Banking and Finance reports:

Senate Bill No. 324

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.

PAPAN, Chairman

Above bill ordered to second reading.

Committee on Water, Parks and Wildlife

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Bill No. 480

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

FLOREZ, Chairman

Above bill ordered to second reading.

Date of Hearing: June 19, 2001

Mr. Speaker: Your Committee on Water, Parks and Wildlife reports:

Senate Joint Resolution No. 12

With the recommendation: Be adopted.

FLOREZ, Chairman

Above resolution ordered to third reading.

MESSAGES FROM THE GOVERNOR

The following message from the Governor was received and ordered printed in the Journal:

Governor's Office, Sacramento
June 19, 2001*The Honorable Robert Hertzberg**Speaker of the Assembly**State Capitol, Room 219**Sacramento, California*

Dear Speaker Hertzberg: I hereby designate Mike Gotch, Linda Adams, Terry Myrrdin, Pamela Oto, Pam Gibbs and Casey Elliott as persons on my staff who may sign for enrolled bills pursuant to Section 9509 of the Government Code.

Sincerely,

GRAY DAVIS

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

Pursuant to the Assembly Rules, the following Senate bills were this day on the second reading file:

Senate Bill No. 668, ordered to the Consent Calendar.**SECOND READING OF SENATE BILLS****SENATE BILL NO. 47**—An act to amend Sections 335, 337, and 341.2 of the Public Utilities Code, relating to public utilities.

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

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 7 a.m., Wednesday, June 20, 2001.

ROBERT M. HERTZBERG, Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JUNE 19, 2001**

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

AB	RN
224	0115390
1601	0115658

SB	RN
47	0115695
290	0115635
325	0115572
409	0114400
883	0115771
920	0115993
929	0115947
958	0115906

Daily Total:	10
Cumulative Total:	2158

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