

CALIFORNIA LEGISLATURE  
2001-02 REGULAR SESSION

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# ASSEMBLY DAILY JOURNAL

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**Monday, July 15, 2002**

**TWO HUNDRED THIRTY-SECOND SESSION DAY  
FIVE HUNDRED EIGHTY-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  
Monday, July 15, 2002

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 Francesca Vega reading.

#### ROLL CALL

The roll was called.

#### Quorum Call of the Assembly

Assembly Member Cox 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 11:13 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       | Correa        | Leach           | Pescetti     |
| Alquist        | Cox           | Leonard         | Reyes        |
| Aroner         | Diaz          | Leslie          | Richman      |
| Ashburn        | Dickerson     | Liu             | Runner       |
| Bates          | Dutra         | Longville       | Salinas      |
| Bogh           | Firebaugh     | Lowenthal       | Shelley      |
| Briggs         | Florez        | Maddox          | Simitian     |
| Calderon       | Frommer       | Maldonado       | Steinberg    |
| Campbell, Bill | Goldberg      | Matthews        | Strickland   |
| Campbell, John | Harman        | Migden          | Strom-Martin |
| Canciamilla    | Havice        | Mountjoy        | Vargas       |
| Cardenas       | Hertzberg     | Nakano          | Washington   |
| Cardoza        | Hollingsworth | Nation          | Wayne        |
| Chan           | Jackson       | Negrete McLeod  | Wiggins      |
| Chavez         | Keeley        | Oropeza         | Wright       |
| Chu            | Kehoe         | Pacheco, Robert | Wyland       |
| Cogdill        | Kelley        | Pacheco, Rod    | Wyman        |
| Cohn           | Koretz        | Papan           | Zettel       |
| Corbett        | La Suer       | Pavley          | Mr. Speaker  |

**PRAYER**

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Rev. Jim Huffstutler, of the First Presbyterian Church of San Bernardino:

*Lord God, the Great Builder and Restorer,  
Be present with those who seek to serve you honestly and well.  
Grant Your power,  
but only to help make better the lives of Your people.  
Give joy for a job well done  
and discontent with sloppiness and self-service.  
Lord God, put a renewed vision in the eyes of all here  
of what might be  
and how they are called to make it be.  
Give us roads and schools and homes.  
Help us to be good stewards  
of your tall trees and grassy meadows,  
sparkling coasts and desert sands.  
But most of all, help us build a place  
where there is education and opportunity,  
tolerance in our freedom  
so there will be pride in our heritage.  
Help us make a history  
where those in years to come will look back and say,  
“They built well because they cared so much.”*

We ask these things in Your many names.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Upon request of Speaker pro Tempore Keeley Assembly Member Bates 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 Firebaugh, 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:

*On legislative business: Assembly Member Horton.*

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

*Because of illness in the family: Assembly Member Thomson.\**

(Note\*: Per diem waived for the 2001–02 Session. See Assembly Journal, page 162.)

*Because of a death in his family: Assembly Member Cedillo.*

**EXPLANATIONS OF ABSENCE**

Pursuant to the Assembly Rules, the following explanation of absence was ordered printed in the Journal:

July 15, 2002

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

Dear Mr. Speaker: I am respectfully requesting permission to be excused from Floor Session on Monday, July 15, 2002, due to legislative business in my district. Per your request, I will be working on the proposed Ad Hoc Committee to fashion preventive measures involving the abuse and use of excessive force by arresting officers within police departments, in light of the recent events in my district. I will be returning to Sacramento on Thursday, July 18, 2002, in time for Assembly Floor Session.

I thank you in advance for your consideration of this request and if you have any questions, please contact me at (916) 319-2051 or (916) 207-5100.

Sincerely,

JEROME E. HORTON, Assembly Member  
Fifty-first District

**ENGROSSMENT AND ENROLLMENT REPORTS**

Assembly Chamber, July 15, 2002

Mr. Speaker: Pursuant to your instructions, the Chief Clerk has examined:  
House Resolution No. 54

And reports the same correctly engrossed.

E. DOTSON WILSON, Chief Clerk

Above resolution re-referred to committee.

**AUTHOR'S AMENDMENTS**  
**Committee on Appropriations**

July 15, 2002

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

Senate Bill No. 330  
Senate Bill No. 1331  
Senate Bill No. 1743

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

STEINBERG, Chairman

**SENATE BILL NO. 330**—An act to amend Section 11181 of the Penal Code, relating to the Interstate Compact for the Supervision of Adult Offenders.

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.

**SENATE BILL NO. 1331**—An act to amend Sections 431, 671, 5505, 9255.2, and 40000.7 of, and to add Sections 521.5, 543.5, 593, 670.5, and 5506 to, the Vehicle Code, relating to salvage 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.

**SENATE BILL NO. 1743**—An act to amend Sections 286, 1671, 4451, 4466, 9262, 9271, 9551, 9552, 11503.5, 11508, 11509, 11509.1, 11516, 11517, 11518, 11519, and 11522 of, to amend the heading of Chapter 3 of Division 5 of, to add Sections 542 and 11515.05 to, to add a heading for Article 1 (commencing with Section 11500) to Chapter 3 of Division 5 of, and to add Article 2 (commencing with Section 11550) to Chapter 3 of Division 5 of, and to repeal Sections 11515, 11515.1, 11515.2, 11540, and 11541 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 Appropriations**

July 15, 2002

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

Senate Bill No. 1852

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

STEINBERG, Chairman

**SENATE BILL NO. 1852**—An act to amend Sections 11372.7 and 11836 of the Health and Safety Code, to amend Sections 23, 182, 830.8, and 1000 of the Penal Code, to amend Sections 1808, 13350, 13352, 13352.4, 13352.5, 13353.3, 13353.4, 13353.45, 13353.5, 13386, 23249, 23521, 23536, 23538, 23540, 23542, 23546, 23548, 23550, 23550.5, 23552, 23554, 23556, 23560, 23562, 23566, and 23568 of the Vehicle Code, and to amend Section 827.9 of the Welfare and Institutions Code, relating to public safety.

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.

**RECESS**

By unanimous consent, at 11:20 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Cardoza introduced the following members of the Merced High School Varsity Baseball Team:

Josh Peters, Steven McKee, Jeff Franey, Alex Arroyo, Steven Torres, Mike Uranga, Garet Comar, Thomas Eager, Eddie Gamboa, David Marvulli-Adam, Kevin Robinson, Justin Velasquez, Giancarlo Martinelli, Josh Rosson, Joel Pedretti, Thomas Cox, Wil Cornish, Kevin Cooper, Joseph Owens, Kevin Vitato, Logan Wiens, Jesus Mercado, Gregory Euker, Andres Gamboa, Andrew Mendonca, and Armando Gutierrez.

Assembly Member Cardoza was then joined by Assembly Member Mathews in presenting a resolution commending the Merced High School Varsity Baseball Team upon winning the Sac-Joaquin Section Division I Championship.

**RECONVENED**

At 11:22 a.m., the Assembly reconvened.

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

**CONSIDERATION OF DAILY FILE  
UNFINISHED BUSINESS**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 2984 (Committee on Insurance)**—An act to amend Sections 1628, 1637, 1639, 1656, 1662, 1679, 1704, 1750.5, 1765.2, 1767, 1768, 1781.3, and 10234.93 of, to add Sections 1638.5 and 1639.1 to, to add Article 5.2 (commencing with Section 759) to Chapter 1 of Part 2 of Division 1 of, and to repeal Sections 1647, 1648, 1649, 1659, and 1714 of, the Insurance Code, relating to insurance.

Bill presented by Assembly Member Calderon.

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, and the Assembly concurred in Senate amendments by the following vote:

**AYES—72**

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

**NOES—None**

Above bill ordered enrolled.

**MOTIONS TO RECONSIDER BILLS CONTINUED**

By unanimous consent, the motions to reconsider the votes on Senate Bills Nos. 773 and 1830; and Assembly Bills Nos. 2079 and 425 were continued until the next legislative day.

**BILLS RETURNED TO THIRD READING FILE**

Pursuant to Assembly Rule 78, the following bill was withdrawn from the inactive file, and placed upon the third reading file.

**Senate Bill No. 842**, on request of Assembly Member Thomson.

**CONSIDERATION OF SENATE BILL NO. 2079 BY UNANIMOUS CONSENT**

Assembly Member Dutra was granted unanimous consent to take up Senate Bill No. 2079 out of order, for purpose of amendment.

**SENATE BILL NO. 2079 (Burton)**—An act to amend Sections 15242, 34520, 34623, and 34624 of the Vehicle Code, relating to motor carrier drug testing, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

**Motion to Amend**

Assembly Member Dutra moved the adoption of amendments.

Amendments read and adopted; bill ordered reprinted, and to be returned to the third reading file.

**ADJOURN IN MEMORY**

Assembly Member Ashburn was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Hon. Donald M. Hart, former Mayor of Bakersfield.

(Assembly Rule 45.5 suspended.)

Assembly Member Kelley was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Virgil L. Jones, of Blythe.

(Assembly Rule 45.5 suspended.)

Assembly Member Correa was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Benny Hernandez, of Anaheim.

(Assembly Rule 45.5 suspended.)

Assembly Member Kehoe was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Eddie Conlon, of San Diego.

(Assembly Rule 45.5 suspended.)

**At 11:39 a.m., Speaker Wesson, 47th District, presiding**

**SPECIAL CEREMONY HONORING RETIRING MEMBERS**

At 11:39 a.m., a special ceremony was convened to honor Members retiring from the California State Assembly.

Without objection, family members and special guests of honorees were permitted on the Floor of the Assembly.

The following resolution was read:

**House Resolution No. 67**

By Assembly Member Wesson

*Relative to commending the Honorable Bill Leonard.*

WHEREAS, The tenure of the Honorable Bill Leonard with the California State Assembly is drawing to a close following 24 years of exemplary service with the California State Legislature, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Bill Leonard's career with the California State Legislature began in 1978 when he was elected to the Assembly, and he served in that house for 10 years prior to being elected to the Senate in 1988, where he served with distinction until 1996, when he was returned to the Assembly by the electorate; during that time he brought distinction to himself as Senate Republican Caucus Chair from 1990 to 1996 and as Assembly Republican Leader in 1997 and 1998; and

WHEREAS, As the Assembly Member from the 63rd District, Bill Leonard represented the communities of Upland, Mt. Baldy, Rancho Cucamonga, Fontana, Rialto, Wrightwood, Phelan, San Bernardino, Highland, Redlands, Crestline, and Lake Arrowhead in San Bernardino County; and

WHEREAS, During his most recent tenure in the Assembly, Bill Leonard was instrumental in fighting against Internet taxation, reforming the workers' compensation system to help injured workers

and to save businesses billions of dollars in premiums, and in changing the state's long-time drunk driving standard to remove more drunken drivers from the roads and save lives; and

WHEREAS, Previously in the State Assembly, he served twice on the Legislature's budget writing conference committee, coauthored legislation providing \$400 million savings in the state's Medi-Cal program, and sponsored the life-saving legislation to increase the use of organ transplants; and

WHEREAS, His service in the State Legislature established him as an advocate for fiscal responsibility, families, and quality public education, and he also became known for his efforts to improve the job and business climate in the Golden State by lowering taxes, reducing unnecessary regulation, and proving incentives for job creation and business expansion; and

WHEREAS, His most notable district projects include, but are not limited to, his support of the completion of the Foothill Freeway from Los Angeles County to San Bernardino, his involvement in the Regional Youth Educational Facility program, his authoring of legislation to appropriate \$1 million for preservation of wildlife in the San Bernardino Mountains, his success in obtaining additional equipment for local California Department of Forestry units, his creation of and continual involvement in an annual Red Ribbon Week essay contest for school children, his role in securing funds to rehabilitate Big Bear Dam, his role in the economic recovery and reuse of the former Norton Air Force Base, his role in capping the number of parolees released into the City of San Bernardino, his role in holding the Parole Department accountable for parolee placement, his role in capping the patient population of Patton State Hospital, and for his role in increasing the number of security guards and amount of fencing; and

WHEREAS, Bill Leonard holds a Bachelor of Arts degree in history from the University of California, Irvine, and he pursued graduate work at California State University, Sacramento, while participating in the Assembly Fellowship Program; and

WHEREAS, Before his election to the State Legislature, Bill Leonard served on the Board of Directors of the San Bernardino Valley Municipal Water District; and

WHEREAS, He is a member of the Native Sons of the Golden West, has served on the Board of Directors for the Boys and Girls Club of San Bernardino, and as a past Vice President of the San Bernardino County Taxpayers' Association; and

WHEREAS, Bill Leonard and his wife, Sherry, have three adult sons, Tim, Michael, and Jacob, and the Leonard's enjoy a variety of outdoor activities, including skiing, hiking, golfing, boating, and sports ranging from wallyball to the martial arts; and

WHEREAS, Through his public service activities Bill Leonard has made a significant impact on the people of the 63rd Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their commendations and appreciation to their colleague, the Honorable Bill Leonard, for his outstanding record of dedicated service to his constituents and to all the people of California, and convey to him best wishes for every success in his future endeavors.



**Consideration of House Resolution No. 67 by Unanimous Consent**

Without objection, House Resolution No. 67 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 67**—Relative to commending the Honorable Bill Leonard.

Resolution read and adopted unanimously.

**Best Wishes Expressed**

Farewell remarks and best wishes were offered by Assembly Members Ashburn and Hertzberg, and without objection, by Senator Brulte.

**Select Committee on Escort Appointed**

Speaker Wesson appointed Assembly Members Cardoza, Keeley, Wright, Bill Campbell, Aanestad, and Leach as a Select Committee on Escort to escort Assembly Member Bill Leonard and his wife, Sherry Leonard, to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Leonard then addressed the assemblage.

\* \* \*

The following resolution was read:

**House Resolution No. 72**

By Assembly Member Wesson

*Relative to commending the Honorable Elaine Alquist.*

WHEREAS, The tenure of the Honorable Elaine Kontominas Alquist with the California State Assembly is drawing to a close following six years of exemplary service, and it is appropriate at this time to highlight the many achievements of her illustrious tenure and to extend to her the highest commendations of the people of the state; and

WHEREAS, Elected to the California State Assembly in 1996 as representative of the 22nd District, “The Heart of the Silicon Valley,” Elaine Kontominas Alquist became the first Greek-American woman elected to the California State Legislature; and

WHEREAS, Assembly Member Alquist provided leadership as Chair of the Standing Committees on Information Technology, Aging and Long-Term Care, and Higher Education, as Chair of the Select Committees on Aging and Long-Term Care and the Aging of the Baby Boomers, as Co-Vice Chair of the Joint Committee to Develop a Master Plan for Education-Kindergarten Through University, as a member of the Committees on Appropriations, Banking and Finance, Education, and Revenue and Taxation, as a member of the Select Committees on the Aerospace Industry, Community Colleges/School to Career, and on Language and Access to Government, as Chair of the Commission on the Status of Women, and as the Assembly representative to the California Seismic Safety Commission; and

WHEREAS, As Chair of the Information Technology Committee, Assembly Member Alquist protected California’s children by holding 12 oversight hearings and “blowing the whistle” on the state’s \$200 million Statewide Automated Child Support System, and as

Co-Chair of the Joint Committee on Y2K Compliance, she helped ensure that California was Y2K compliant at the beginning of the millennium; and

WHEREAS, Due to her strong advocacy and commitment to California's seniors, the Committee on Aging and Long-Term Care was returned to permanent standing committee status and she was selected as its first chair, and she authored tax check-off legislation to generate funds for the California Senior Legislature and Alzheimer's research, focused her efforts on nursing home reform and documentation of nursing home violations available on the Internet, led California in urging the federal government to enact the voluntary Medicare Prescription Drug Benefit, and authored the first HMO reform legislation signed into law requiring HMOs to cover the costs of hospice care; and

WHEREAS, In her final term in office, Assembly Member Alquist served as Chair of the Higher Education Committee and was a champion for providing access and affordability for all to the state's institutions of higher learning; and

WHEREAS, Elaine Alquist coauthored Cal Grant expansion legislation to ensure that all graduating high school seniors who meet program requirements will receive financial grants to attend college, and authored the Graduate Education Opportunity Act; and

WHEREAS, Guided by strong values, Assembly Member Alquist fought for the rights of young children and women as author of "Maricela's Law," and she authored the Child Support Compliance Act of 1998 and the Domestic Violence Child Protection Act, which enabled the court to order counseling for all interested parties in child custody cases, as well as to consider recent domestic violence incidents before awarding child custody; and

WHEREAS, As a member of the Women's Caucus, Assembly Member Alquist fought to maintain funding for child care and she held a forum to address the shortage of child care in Silicon Valley and the problems that family care providers encounter; and

WHEREAS, In K-12 education, Assembly Member Alquist provided her expertise as a member of the Assembly Education Committee for six years, she authored benchmark legislation that provides gender equity in education, particularly in the sciences, mathematics, and technology, she was joint author of the legislation to end social promotion in schools, and was coauthor of legislation to reduce class size and provide oversight for charter schools; and

WHEREAS, She authored legislation which requires the Superintendent of Public Instruction to strengthen and promote the opportunity for quality involvement by parents and guardians in schoolsite advisory bodies; and

WHEREAS, Concerned about the high costs of housing in Silicon Valley and throughout the state, Assembly Member Alquist worked on legislation that has enabled first-time homebuyers to realize their dream of homeownership, including the California Homebuyer's Downpayment Assistance Program, and she was a strong proponent and coauthor of the Housing Bond Act that will place a \$2.1 billion General Obligation bond proposal on the November 5, 2002, ballot; and

WHEREAS, For the past five years she held a free women's health forum directed at older women, providing information about women's health issues, and she authored a bill which requires entities using state

funds to conduct clinical research to include women over the age of 40 as subjects in the research, and her advocacy for women's health extended to her authorship of the California Osteoporosis Prevention and Education Act; and

WHEREAS, In transportation, Assembly Member Alquist was in the forefront to bring BART to Santa Clara County; and

WHEREAS, Elaine Kontominas Alquist resides in Santa Clara with her husband, former State Senator Al Alquist, she is the proud mother of two grown sons, Bryan White, and Peter White and his wife Anju Chowdhry White, and a loving yiayia to her granddaughter Jasmine, and she honors her Greek heritage by serving as honorary chair of the Hellenic Heritage Institute and as a member of Philoptochos, the Daughters of Penelope, and the Modern Greek Studies Foundation; and

WHEREAS, Through her public service activities Elaine Alquist has made a significant impact on the people of the 22nd Assembly District and throughout the state, and she will be greatly missed by those individuals with whom she has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California*, That the Members express their commendations and appreciation to their colleague, the Honorable Elaine Kontominas Alquist, for her outstanding record of dedicated service to her constituents and to all of the people of California, and convey to her best wishes for every success in her future endeavors.

**Consideration of House Resolution No. 72 by Unanimous Consent**

Without objection, House Resolution No. 72 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 72**—Relative to commending the Honorable Elaine Alquist.

Resolution read and adopted unanimously.

**Best Wishes Expressed**

Farewell remarks and best wishes were offered by Assembly Members Wayne, Chu, and Shelley.

**Select Committee on Escort Appointed**

Speaker Wesson appointed Assembly Members Frommer, Steinberg, Wright, Liu, Negrete McLeod, Reyes, and Bogh as a Select Committee on Escort to escort Assembly Member Elaine Alquist, her husband, former State Senator, Hon. Alfred E. Alquist, and family to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as she departs the California State Assembly.

Assembly Member Alquist then addressed the assemblage.

\* \* \*

The following resolution was read:

**House Resolution No. 57**

By Assembly Member Wesson

*Relative to commending the Honorable Lynne C. Leach.*

WHEREAS, The tenure of the Honorable Lynne C. Leach with the California State Assembly is drawing to a close following six years of exemplary service, and it is appropriate at this time to highlight the

many achievements of her illustrious tenure and to extend to her the highest commendations of the people of the state; and

WHEREAS, Lynne Leach was first elected to the California State Assembly in 1996 to represent the 15th District and became the first woman ever to represent the combined Contra Costa/Alameda County district, and in 2000 she was reelected by a commanding margin when more than 60 percent of East Bay voters sent her back to Sacramento for a third term; and

WHEREAS, Lynne Leach made her mark as a leader in the Legislature serving as Chair of the Assembly Republican Caucus in her first term and Vice Chair of the important Assembly Committee on Education in her second and third terms; and

WHEREAS, in 1998 she was named the national Freshman of the Year by the National Republican Legislators Association and an Outstanding Freshman Legislator of the Year by the California School Boards Association, and was inducted into the Walnut Creek Education Foundation Circle of Excellence; she was named the 2000 Small Business Legislator of the Year by the California Small Business Association and the California Small Business Roundtable, was named the 2000 Assemblyperson of the Year by the California Association of Home Services for the Aging, and was named the 2002 Orinda Union School District Partner in Excellence; and

WHEREAS, Assembly Member Leach was honored by a number of other public policy and grassroots organizations for her hard work on behalf of small business, the taxpayer, the environment, health care, and public education, including the California Chamber of Commerce, National Tax Limitation Committee, Association of California School Administrators, Walnut Creek Education Foundation, Save Mt. Diablo, Association of California Water Agencies, and Contra Costa Breast Cancer Partnership; and

WHEREAS, Her top priorities in Sacramento were to make the state more business-friendly, return schools to their premier status, and address the transportation challenges of the Bay Area, and in order to keep her constituents informed and involved, she hosted a monthly cable television program, "Focus-15," in which she interviewed guests in a discussion of the issues of the day and provided her constituents with an update of all that was happening in the Capitol; and

WHEREAS, In addition to serving as Vice Chair of the Committee on Education, Assembly Member Leach also served on the Committee on Transportation where she was a leader in the effort to reinvest in California's neglected infrastructure and highway system, and she was a leader in the effort to get a fourth bore in the Caldecott Tunnel; and

WHEREAS, Assembly Member Leach also served on the Committee on Aging and Long Term Care, Committee on Business and Professions, K-12 Master Plan for Education Committee, and Joint Legislative Audit Committee; and

WHEREAS, Prior to campaigning for the State Assembly, Lynne Leach was a businesswoman and spent more than 30 years in sales, and in 1978 she started her own business, Applied Business Communications, Inc., which specializes in sales, customer service, and communication training; and

WHEREAS, Her activism in the community includes serving as President of the Walnut Creek Professional and Business Women's Club and the Walnut Creek Chamber of Commerce; and

WHEREAS, Her other activities have included membership in the Contra Costa Sheriff's Posse and Alameda and Contra Costa 100 Clubs and serving on advisory boards for the Boy Scouts of America, YMCA, Diablo Valley College, and Lamorinda National Bank, and she has been an active volunteer in local elementary schools and a member of Walnut Creek Presbyterian Church since 1972; and

WHEREAS, in 1988 she was elected to the Contra Costa County Republican Central Committee and served as its Chairman from 1991 to 1995, and during her tenure she introduced the successful BOOT CAMP (an annual candidate training program) and the R.E.V.O.L.T. Committee (Republicans Educating Voters on Lower Taxes); and

WHEREAS, Lynne Leach was staunchly loyal to Brannan's Restaurant during her time in office; and

WHEREAS, A native of Chicago, Illinois, Lynne Leach worked her way through college and graduated in 1963 from Roosevelt University with a degree in psychology; and

WHEREAS, Lynne Leach is eternally grateful to her parents, Bill and Amy Dreger, who taught her the responsibility of being a good citizen, and to her husband, Bob, and her children, Carol and Brian, for their total support; and

WHEREAS, Through her public service activities she has made a significant impact on the people of the 15th Assembly District and throughout the state, and she will be greatly missed by those individuals with whom she has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California, That the Members express their commendations and appreciation to their colleague, the Honorable Lynne C. Leach, for her outstanding record of dedicated service to her constituents and to all of the people of California, and convey to her best wishes for every success in her future endeavors.*

#### **Consideration of House Resolution No. 57 by Unanimous Consent**

Without objection, House Resolution No. 57 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 57**—Relative to commending the Honorable Lynne C. Leach.

Resolution read and adopted unanimously.

#### **Best Wishes Expressed**

Farewell remarks and best wishes were offered by Assembly Members Robert Pacheco, Bates, and Runner.

#### **Select Committee on Escort Appointed**

Speaker Wesson appointed Assembly Members Bill Campbell, Ashburn, Leonard, Rod Pacheco, Cox, and Zettel as a Select Committee on Escort to escort Assembly Member Leach and her husband, Robert Leach, to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as she departs the California State Assembly.

Assembly Member Leach then addressed the assemblage.

The following resolution was read:

**House Resolution No. 71**

By Assembly Member Wesson

*Relative to commending the Honorable Kevin Shelley.*

WHEREAS, The tenure of the Honorable Kevin Shelley with the California State Assembly is drawing to a close following six years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Kevin Shelley, the son of former San Francisco Mayor Jack Shelley, grew up believing that public service is a way of life, and after graduating from the University of California, San Francisco, Hastings College of the Law, he worked in the San Francisco nonprofit community and on the staff of Congressman Phil Burton, and he considers both Jack Shelley and Phil Burton his political mentors; and

WHEREAS, The tradition of public service includes a third mentor for Kevin Shelley, his mother, Thelma Shelley, as she served as the General Manager of the War Memorial and Performing Arts Center in San Francisco; and the family tradition also includes his sister, Joan Marie, a teacher and past president of the United Educators of San Francisco; and

WHEREAS, Kevin Shelley was elected to the State Assembly in 1996 to represent the 12th District, comprised of San Francisco and San Mateo Counties, and from his tenure as President of the San Francisco Board of Supervisors to his present role as Assembly Majority Leader, for which he was selected in 1998, there has been one theme in Kevin Shelley's career: the fight for reform; and

WHEREAS, In addition to his duties as Majority Leader, he serves on the Elections, Reapportionment, and Constitutional Amendments Committee, the Judiciary Committee, the Labor and Employment Committee, the Select Committee on Earthquake Safety and Preparedness, and the Select Committee on Gun Violence; and

WHEREAS, Today, his top priority is legislation to reform and modernize California's voting machinery and processes because he believes that to change California, we need to change the way Californians vote; and

WHEREAS, Majority Leader Kevin Shelley has created a comprehensive voting reform package for California; he authored Proposition 41, the Voting Modernization Act and crafted Assembly Bill 1520, which was subsequently enacted by the Legislature, allowing voters to permanently vote from home, and his bill, Assembly Bill 55, an omnibus reform measure, includes provisions to extend polling places, improve poll worker training, and post a Voters' Bill of Rights in every voting booth; and

WHEREAS, In addition to his voting reform legislation, Majority Leader Kevin Shelley is a tireless advocate for the people of California in that he authored the California Nursing Home Reform Act of 2000 and 2001, the most comprehensive and significant nursing home bills in a generation; legislation providing for significant elder abuse reporting, training, and prevention; the Healthy Schools Act, which grants parents and teachers the right to know about pesticide use in their schools; the Gun Violence Protection Act of 2001, to increase safety requirements for new gun purchases; one of the nation's toughest clinic protection



ordinances to preserve a woman's right to choose; comprehensive pollutant-monitoring laws that restored funding to the California Clean Air Act; the Marine Life Protection Act; red-light runner and pedestrian safety legislation to make the streets safer for walkers, bicyclists, and drivers; and one of the strongest Sunshine Laws in the nation, to make government more accountable; and

WHEREAS, Majority Leader Kevin Shelley received the Legislator of the Year Award for his work on behalf of the rights of women, he was declared the "Most Valuable Player 2000" by the California Consumer Federation, he was a two-time recipient of the James Madison Award for good government/sunshine laws for his work in ensuring greater public access to government documents and processes, he was declared Legislator of the Year 2002 by the Jewish Public Affairs Committee of California, and he has received a 100 percent rating from numerous consumer and public advocacy groups; and

WHEREAS, He and his wife, Dominique Baudry, a public school teacher, are the proud parents of their son, Jack, who was born on November 19, 2001, and the family lives in San Francisco; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 12th Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their commendations and appreciation to their colleague, the Honorable Kevin Shelley, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

**Consideration of House Resolution No. 71 by Unanimous Consent**

Without objection, House Resolution No. 71 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 71**—Relative to commending the Honorable Kevin Shelley.

Resolution read and adopted unanimously.

**Best Wishes Expressed**

Farewell remarks and best wishes were offered by Assembly Members Kehoe, Hertzberg, and Leonard.

**Select Committee on Escort Appointed**

Speaker Wesson appointed Assembly Members Aroner, Oropeza, Reyes, Steinberg, Strickland, Keeley, and Migden as a Select Committee on Escort to escort Assembly Member Shelley, his wife Dominique Baudry-Shelley, and their son, Jack, to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Shelley then addressed the assemblage.

The following resolution was read:

**House Resolution No. 70**

By Assembly Member Wesson

*Relative to commending the Honorable Bill Campbell.*

WHEREAS, The tenure of the Honorable Bill Campbell with the California State Assembly is drawing to a close following six years of exemplary service, and it is appropriate at this time to highlight the many achievements of his illustrious tenure and to extend to him the highest commendations of the people of the state; and

WHEREAS, Bill Campbell was elected to the California State Assembly in 1996 as a representative of the 71st Assembly District, which includes the cities of Lake Forest, Mission Viejo, Orange, Rancho Santa Margarita, and Villa Park, and portions of Anaheim, Irvine, Santa Ana, and Tustin, as well as most of the canyon areas of southeastern Orange County; and

WHEREAS, The first bill introduced by Assembly Member Bill Campbell, Assembly Bill 9, and one of his last, Assembly Bill 1842 would have eliminated or reduced the capital gains tax in California; and during his first term, Assembly Member Campbell authored among several bills Assembly Bill 132, the Children's Internet Protection Act, affecting all students in public schools, Assembly Bill 1425, appropriating \$400,000 for completion of the Trabuco Creek Trail Bridge, Assembly Bill 2453, an act for the Small Business Development Center, and Assembly Bill 1978, an act for statewide food safety certification; and

WHEREAS, Actively involved in the major issues of the state, he served on the special committee for welfare reform, which transitioned welfare recipients from dependency to self-sufficiency, and he was Vice Chairman of the Education Committee when important teacher accountability and after-school instructional funding measures were considered and passed, and as Republican Leader, he successfully fought against the state taking over electric transmission lines and hydroelectric facilities; and

WHEREAS, Assembly Member Campbell served as Vice Chairman of the Banking and Finance Committee and as a member of the Education, Utilities and Commerce, Energy, Costs and Availability Committees and the Select Committee on the Re-use of El Toro Marine Corps Air Station; and

WHEREAS, He provided leadership as Vice Chair of the following Standing Committees: Consumer Protection, Government Efficiency and Economic Development, Utilities and Commerce, Education, and Appropriations; and

WHEREAS, He also brought distinction to himself as a member of the following Select Committees: Welfare Reform Implementation, Aging, Defense Conversion, Exposition Park, Professional Sports, California's Children, Education Technology, Municipal Finance Reform, School Finance Reform, and School Facilities Finance; and

WHEREAS, He was a member of the Assembly Budget Committee and The Joint Committee for the Legislative Sunset Review and the Budget Subcommittees of Health and Human Services (Budget Sub. 1) and State Administration (Budget Sub. 4), and was an appointed member of the Little Hoover Commission; and



WHEREAS, Assembly Member Campbell was respected for his ability to deal effectively with all Members of the Legislature and was honored for his integrity by being named a “Golden Ruler” by the California Journal; and

WHEREAS, He has worked to improve California’s economy and increase jobs by making California business friendly, and he is in favor of reforming K through 12 education by returning local control and fiscal responsibility to the local Boards of Education, parents, and teachers; and

WHEREAS, Born in Los Angeles and raised in Pico Rivera, Bill Campbell graduated from Loyola Marymount University with a Bachelor of Science degree in electrical engineering and from Harvard Business School with a Master in Business Administration degree; and

WHEREAS, He has been active in the community as a member of the Orange Chapter of Legatus and a former member of the Young Presidents’ Organization, where he served on the International Board of Director for four years, and he also is an active member of both the Harvard Business School and the Loyola Marymount Alumni Associations and served on the Loyola Marymount Alumni Board; and

WHEREAS, Assembly Member Bill Campbell and his wife, Mary, are residents of Villa Park, and their family includes three sons, Patrick, Chris, and Brian; and

WHEREAS, The Campbell family has been active in the community, including Indian Guides, Boy Scouts, Youth Soccer, Little League, and St. Norbert’s Parish in Orange, and Assembly Member Campbell was the founder, President, and Chief Financial Officer of BIMA Corporation, a franchisee of Taco Bell, a founding member of the Franchise Management Advisory Council with Taco Bell, which helped foster a spirit of working together between franchisees and the Taco Bell Corporation, and prior to forming BIMA, he worked for Clabir Corporation, Rockwell International, NATEC and TRW systems; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 71st Assembly District and throughout the state, and he will be greatly missed by those individuals with whom he has been associated; now, therefore, be it

*Resolved by the Assembly of the State of California,* That the Members express their commendations and appreciation to their colleague, the Honorable Bill Campbell, for his outstanding record of dedicated service to his constituents and to all of the people of California, and convey to him best wishes for every success in his future endeavors.

**Consideration of House Resolution No. 70 by Unanimous Consent**

Without objection, House Resolution No. 70 was taken up, without reference to committee or file.

**HOUSE RESOLUTION NO. 70**—Relative to commending the Honorable Bill Campbell.

Resolution read and adopted unanimously.

**Select Committee on Escort Appointed**

Speaker Wesson appointed Assembly Members John Campbell, Wright, Bates, Papan, Ashburn, and Strickland as a Select Committee on Escort to escort Assembly Member Bill Campbell to the Rostrum, whereupon a resolution and special plaque was presented by Speaker Wesson expressing the best wishes of all Members of the Assembly as he departs the California State Assembly.

Assembly Member Bill Campbell then addressed the assemblage.

\* \* \*

**At 2:20 p.m., Speaker pro Tempore Keeley, 27th District, presiding**

**REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 2126**

Upon request of Assembly Member Firebaugh, Assembly Member Robert Pacheco was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 2126; and that the bill be held at the Desk.

**PRIVILEGES OF THE FLOOR**

Assembly Member Bogh was granted unanimous consent that his mother, Lynn Baldi, be granted the privileges of the Floor.

**CONSIDERATION OF DAILY FILE (RESUMED)**

**UNFINISHED BUSINESS (RESUMED)**

**CONSIDERATION OF SENATE AMENDMENTS**

**ASSEMBLY BILL NO. 1965 (Bogh)**—An act to amend and renumber Section 32320 of, and to repeal the heading of Article 3 (commencing with Section 32320) of Chapter 3 of Part 19 of, the Education Code, relating to public postsecondary education.

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, and the Assembly concurred in Senate amendments by the following vote:

**AYES—69**

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

**NOES—None**

Above bill ordered enrolled.

**ANNOUNCEMENTS**

Speaker pro Tempore Keeley announced the following session schedule for the coming week:

Tuesday, July 16th—Check-in session, 7 a.m.–3 p.m., and Floor Session upon Call of the Speaker;

Wednesday, July 17th—Check-in session, 7 a.m.–3 p.m., and Floor Session upon Call of the Speaker;

Thursday, July 18th—Floor session, 9 a.m.

**ADJOURN IN MEMORY**

Assembly Member Bates was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mya Richard, of Laguna Niguel.

Assembly Member Bill Campbell was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Donald Winn, of Villa Park.

Assembly Member Cárdenas was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Jean Rueff Olin, of San Fernando.

Assembly Member Chu was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Willie Tong, of Los Angeles.

Assembly Member Migden was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of William Dufty, of Birmingham, Michigan.

Assembly Member Papan was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Herbert Youngdahl, of Pacifica.

Assembly Member Reyes was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Andy Ferrer, of Caruthers; and Edward Rodriguez, of Reedley.

Assembly Members Migden and Shelley were granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Doris Thomas, of San Francisco.

Assembly Member Simitian was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Mark Rimmel, of Palo Alto.

**VOTE ADDS**

The following Assembly Members were granted unanimous consent to record their votes on the following items (shown in sequential order):

**Assembly Bill No. 2984, Concurrence:** Aanestad, Alquist, Bogh, Briggs, Cardenas, Harman, Havice, Hollingsworth, La Suer, Leslie, Longville, Lowenthal, Maddox, Maldonado, Migden, Mountjoy, Reyes, Simitian, Wyland, and Zettel—Aye.

**Assembly Bill No. 1965, Concurrence:** Shelley and Simitian—Aye.

**MOTION TO ADJOURN**

At 2:29 p.m., Assembly Member Cohn moved that the Assembly do now adjourn.

Assembly Member Cox seconded the motion.

**REMARKS ON CONDITION OF THE FILE**

Assembly Member Aanestad arose to speak on the condition of the file.

**FURTHER CONSIDERATION OF MOTION TO ADJOURN**

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

Motion carried.

**QUORUM CALL OF THE ASSEMBLY DISPENSED WITH**

At 2:31 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

**RESOLUTIONS**

The following resolution was offered:

**ASSEMBLY CONCURRENT RESOLUTION NO. 233—Bogh and Chavez (Coauthors: Aanestad, Diaz, Dickerson, Harman, Maddox, Negrete McLeod, Rod Pacheco, Strickland, and Zettel).** Relative to Medal of Honor recipients of California.

**REPORTS OF STANDING COMMITTEES****Committee on Public Employees, Retirement and Social Security**

Date of Hearing: July 11, 2002

Mr. Speaker: Your Committee on Public Employees, Retirement and Social Security reports:

Senate Bill No. 222

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

HAVICE, Chairwoman

Above bill ordered to second reading.

**INTRODUCTION OF GUESTS**

Assembly Member Leonard, of the 63rd Assembly District introduced his wife, Sherry Leonard; parents, William and Barbara Leonard; sister, Christene Leonard; daughter-in-law, Mona Gergen; and granddaughter, Katherine Sophia Gergen.

Assembly Member Alquist of the 22nd Assembly District introduced her sons Bryan White and Peter White; daughter-in-law Anju Chowdhry White; and granddaughter, Jasmine Vanessa White.

**ADJOURNMENT**

At 3 p.m., pursuant to the motion by Assembly Member Cohn, the Assembly adjourned until 7 a.m., Tuesday, July 16, 2002, out of respect to the memory of Hon. Donald M. Hart, on motion of Assembly Member Ashburn; out of respect to the memory of Virgil L. Jones, on motion of Assembly Member Kelley; out of respect to the memory of Benny Hernandez, on motion of Assembly Member Correa; out of respect to the memory of Eddie Conlon, on motion of Assembly Member Kehoe; out of respect to the memory of Mya Richard, on motion of Assembly Member Bates; out of respect to the memory of William Dufty, on motion of Assembly Member Migden; out of respect to the memory of Donald Winn, on motion of Assembly Member Bill Campbell; out of respect to the memory of Jean Rueff Olin, on motion of Assembly Member Cárdenas; out of respect to the memory of Willie Tong, on motion of Assembly Member Chu; out of respect to the memory of Herbert Youngdahl, on motion of Assembly Member Papan; out of respect to the memory of Andy Ferrer and Edward Rodriguez, on motion of Assembly Member Reyes; out of respect to the memory of Doris Thomas, on motion of Assembly Members Migden and Shelley; and out of respect to the memory of Mark Rimmel, on motion of Assembly Member Simitian.

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HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE  
ASSEMBLY ON JULY 15, 2002**

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

| <b>SB</b> | <b>RN</b> |
|-----------|-----------|
| 330       | 0214280   |
| 1331      | 0214330   |
| 1743      | 0214331   |
| 1852      | 0214486   |
| 2079      | 0214261   |

|                          |             |
|--------------------------|-------------|
| <b>Daily Total:</b>      | <b>5</b>    |
| <b>Cumulative Total:</b> | <b>5809</b> |

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