

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Wednesday, July 17, 2002

**TWO HUNDRED THIRTY-FOURTH SESSION DAY
FIVE HUNDRED NINETY-FIRST 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.

(Please Direct Any Inquiries and Report Any Omissions or Errors to Minute Clerk: Phone 319-2360)

(Reprinted for pagination error.)

PROCEEDINGS OF THE ASSEMBLY

IN ASSEMBLY

Assembly Chamber, Sacramento
Wednesday, July 17, 2002

The Assembly met at 7 a.m.

Hon. Sarah Reyes, Assembly Member, 31st 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—46:

Ashburn	Dickerson	Leonard	Pavley
Bates	Dutra	Leslie	Pescetti
Bogh	Firebaugh	Liu	Reyes
Campbell, John	Florez	Maddox	Richman
Canciamilla	Frommer	Matthews	Steinberg
Cardoza	Havice	Mountjoy	Strickland
Chavez	Hollingsworth	Nakano	Wiggins
Chu	Jackson	Nation	Wright
Cogdill	Keeley	Negrete McLeod	Wyman
Cohn	Kelley	Oropeza	Mr. Speaker
Cox	Koretz	Pacheco, Rod	
Diaz	La Suer	Papan	

Quorum present.

At 2:05 p.m., Hon. Joe Canciamilla, 11th 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 Aanestad, Alquist, Briggs, Calderon, Bill Campbell, Corbett, Goldberg, Hertzberg, Horton, Leach, Longville, Migden, Robert Pacheco, Runner, Salinas, Shelley, Strom-Martin, Vargas, Washington, and Zettel.

On legislative business, and waiving per diem: Assembly Members Correa, Kehoe, Maldonado, and Wayne*.*

(*NOTE: For further explanations relative to waiver of per diem during the 2002 Budget delay, see the following Journal pages: Assembly Member Kehoe, page 7202; Assembly Member Wayne, page 7167.)

On personal business, and waiving per diem: Assembly Members Aroner, Daucher, Harman, and Wyland.

Because of illness: Assembly Members Chan and Simitian.

Because of illness in their families: Assembly Members Cárdenas, Lowenthal, and Thomson*.*

(*NOTE: For further explanation by Assembly Member Lowenthal relative to per diem during the 2002 Budget delay, see communication later this day; for further explanation by Assembly Member Thomson relative to waiver of per diem 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 explanations of absence were ordered printed in the Journal:

July 15, 2002

*The Honorable Herb Wesson
Speaker, California State Assembly
Room 219*

Dear Mr. Speaker: Please excuse me from check-in session for Wednesday, July 17, 2002. I will be in my district attending to legislative business.

If you have any questions please contact my Chief of Staff, Brett Michelin, at 319-2003.

Thank you for your consideration.

Sincerely,

SAM AANESTAD, Assembly Member
Third District

July 16, 2002

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

Dear Mr. Speaker: I respectfully request permission to be excused from session on Wednesday, July 17, 2002. I will be in my district attending to legislative business. Thank you for your help. If you have any questions you can contact Jill Archer, my secretary.

Sincerely,

MIKE BRIGGS, Assembly Member
Twenty-ninth District

July 8, 2002

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

Dear Mr. Speaker: I would like to request to be excused from floor and/or check-in session Wednesday July 17, 2002 through Friday, July 19, 2002 to attend the Association of California Insurance Companies' Annual General Counsel Seminar in Las Vegas. I have been asked to speak on a legislative panel during this seminar. If you have any questions please contact my office. Thank you for your consideration.

Sincerely,

THOMAS M. CALDERON, Assembly Member
Fifty-eighth District

July 15th, 2002

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

Dear Mr. Speaker: I will be on Legislative Business in my District on Wednesday, July 17th, therefore I will not be waiving per diem for that day. I will be returning to the Capitol late on Wednesday night in time for Thursday floor Session.

If you have any questions regarding this matter, please feel free to call Char Booth at my office at 319-2071.

Thank you for your consideration in this matter.

Sincerely,

BILL CAMPBELL, Assembly Member
Seventy-first District

July 15, 2002

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

Dear Mr. Speaker: I would like to request permission to be excused from check-in session on Wednesday, July 17, 2002. I will be on legislative business attending the Council of State Governments Annual Meeting.

Thank you for your consideration of this matter. If you have any questions or concerns, please feel free to call me at (916) 319-2018.

Sincerely,

ELLEN M. CORBETT, Assembly Member
Eighteenth District

July 16, 2002

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

Dear Speaker Wesson: I am writing to respectfully request that I be excused from check-in session on Wednesday, July 17, 2002 to attend to legislative business in the district, waiving per diem.

Thank you for your consideration of my request. Should you have any questions, please contact Amy O’Gorman at (916) 319-2069.

Sincerely,

LOU CORREA, Assembly Member
Sixty-ninth District

July 17, 2002

Speaker Herb Wesson
State Capitol
Sacramento, California

Dear Mr. Speaker: This letter will serve as a request to be excused on legislative business on Wednesday, July 17, 2002.

Should you have any questions please do not hesitate to contact my Executive Assistant Bertha Mardueño at ext. 2045.

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

July 17, 2002

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

Dear Speaker Wesson: Please accept this request to be excused from Check-In Session on Wednesday, July 17, 2002. I will be on legislative business in my district.

Should you have any questions, please feel free to have your staff contact Toni Nakashima in my Capitol Office.

Thank you in advance for your consideration of this request.

Very truly yours,

ROBERT M. HERTZBERG
Speaker Emeritus

July 12, 2002

Hon. Herb Wesson
Speaker of the Assembly
State Capitol, Room 219
Sacramento, California

Dear Mr. Speaker: I respectfully request to be excused from check-in session on Wednesday, July 17, 2002 due to legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CHRISTINE KEHOE, Assembly Member
Seventy-sixth District

July 15, 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 July 17, 2002 to conduct legislative business in my district.

Thank you for your consideration in this matter.

Sincerely,

CAROLE MIGDEN, Assembly Member
Thirteenth District

July 16, 2002

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

Dear Speaker Wesson: I am writing to request permission to travel to my district on Tuesday, July 16th, to return on Wednesday, July 17th. The purpose of my request is that on Wednesday, July 17th, the Vietnam Veterans Memorial Moving Wall is making an historic stop in my hometown of Lancaster, and I would like to be there for the opening ceremony. This is a rare opportunity that I believe merits an excused absence on legislative business.

Thank you for your careful consideration of my request. Should you have any questions regarding this request please do not hesitate to contact me, or my Chief of Staff Will Smith at 319-2036.

Sincerely,

GEORGE C. RUNNER, JR., Assembly Member
Thirty-sixth District

July 15, 2002

*The Honorable Herb J. Wesson, Speaker
California State Assembly
State Capitol
Sacramento, California*

Dear Mr. Speaker: I am requesting permission to be excused from Assembly Floor Check-in Session for Wednesday, July 17. I will be attending to legislative business in my district. I will be back in town for Session on Thursday, July 18. If you have any questions about this request, please contact Emilee Ford in my Capitol Office at 319-2028.

Sincerely,

SIMÓN SALINAS, Assembly Member
Twenty-eighth District

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

Dear Mr. Speaker: I wish to be excused from Assembly floor session from Wednesday, July 17 through Tuesday, July 23rd, 2002, on legislative business. I will be attending the Pacific Fisheries Legislative Task Force quarterly meeting as the representative of the California State Assembly.

Thank you for your consideration of this request.

Sincerely,

VIRGINIA STROM-MARTIN, Assembly Member
First District

July 15, 2002

*Speaker Herb Wesson
Office of the Speaker
State Capitol, Room 219
Sacramento, California*

Dear Speaker Wesson: Please excuse me from check-in session on Wednesday, July 17, 2002, and grant me permission to travel to my District Office on legislative business.

Thank you for your consideration.

Respectfully,

CARL WASHINGTON, Assembly Member
Fifty-second District

(NOTE: For letters explaining the absences of Assembly Members Alquist, Horton, Leach, Longville, Maldonado, Robert Pacheco, Shelley, Vargas, Wayne, and Zettel on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 16, 2002.)

COMMUNICATIONS

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

July 8, 2002

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

Dear Mr. Speaker: This letter is to inform you that I am waiving per diem for the time period of July 6, 2002 through August 4, 2002. This time period coincides with the scheduled summer break.

If you have any questions regarding my decision to forgo per diem during this time, please do not hesitate to contact me.

Sincerely,

ALAN LOWENTHAL, Assembly Member
Fifty-fourth District

(NOTE: This letter supersedes the communication printed on Assembly Journal, page 7202.)

RESOLUTIONS

The following resolutions were offered:

ASSEMBLY CONCURRENT RESOLUTION NO. 234—Canciamilla (Principal coauthors: Alquist and Wesson) (Coauthors: Aroner, Cogdill, Cohn, Cox, Diaz, Dutra, Keeley, Leonard, Migden, Nation, Pescetti, Reyes, Richman, Shelley, Simitian, Strickland, Strom-Martin, Thomson, Wiggins, and Wright) (Coauthors: Senators Chesbro and Sher). Relative to the Louis J. Papan Highway.

ASSEMBLY JOINT RESOLUTION NO. 59—Dickerson (Coauthor: Chavez). Relative to mercury amalgam dental fillings.

ENGROSSMENT AND ENROLLMENT REPORTS

Assembly Chamber, July 17, 2002

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

Assembly Bill No. 2984

And reports the same correctly enrolled, and presented to the Governor on the 17th day of July, 2002, at 10:30 a.m.

E. DOTSON WILSON, Chief Clerk

AUTHOR'S AMENDMENTS
Committee on Appropriations

July 17, 2002

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

Senate Bill No. 1257

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

STEINBERG, Chairman

SENATE BILL NO. 1257—An act to add Section 25160.7 to the Health and Safety Code, and to amend Sections 2402.6, 32001, and 34501.12 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 17, 2002

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

Senate Bill No. 1353

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

STEINBERG, Chairman

SENATE BILL NO. 1353—An act to amend Sections 1190 and 1191 of the Harbors and Navigation Code, relating to harbors, 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.

ADJOURNMENT

At 3 p.m., the Assembly adjourned until 9 a.m., Thursday, July 18, 2002.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 17, 2002**

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

SB	RN	
1257	0214451	
1353	0214018	
Daily Total:		2
Cumulative Total:		5814

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