

CALIFORNIA LEGISLATURE
2001-02 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

Thursday, July 18, 2002

**TWO HUNDRED THIRTY-FIFTH SESSION DAY
FIVE HUNDRED NINETY-SECOND 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
Thursday, July 18, 2002

The Assembly met at 9 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 Pescetti moved a quorum call of the Assembly.
Motion carried. Time, 9:01 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 9:14 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—67:

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

PRAYER

Upon invitation of Speaker pro Tempore Keeley, the following prayer was offered by Assembly Member Tim Leslie, of the 5th Assembly District:

To our Creator, we pray that in Your infinite mercy and understanding You will be patient with us, with our mistakes and our faltering efforts. We ask that You save us from being discouraged and disillusioned by failure, and at the same time to forgive us from uncontrolled pride in our successes, recognizing that all our successes come from You.

Give us each day the grace to do our best for the world, our state, our families, and for ourselves. Help us to look for and see the best in each individual and each endeavor. Help us to be positive and happy with You and with ourselves.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of Speaker pro Tempore Keeley, Assembly Member Cogdill 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 Papan, seconded by Assembly Member Cogdill.

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 Briggs, Calderon, Goldberg, Maddox, Matthews, Migden, Strom-Martin, and Zettel.

On personal business, and waiving per diem: Assembly Members Harman and Liu.

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

(*NOTE: 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 18, 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 Thursday, July 18, 2002. I will be attending a legislative conference. 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 17, 2002

*Speaker Herb Wesson
State Capitol
Sacramento, California*

Dear Mr. Speaker: This letter will serve as a request to be excused from session on Thursday, July 18, 2002 on Legislative Business.

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

Sincerely,

JACKIE GOLDBERG, Assembly Member
Forty-fifth District

July 16, 2002

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

Dear Mr. Speaker: I respectfully request authorization to be absent from session on Thursday, July 18, 2002. I will be traveling to my district on legislative business.

Thank you for your consideration of my request.

Sincerely,

KEN MADDOX, Assembly Member
Sixty-eighth District

July 15, 2002

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

Dear Speaker Wesson: I would like to request to be excused from Session on Thursday, July 18, 2002. I will be in my district on legislative business.

Your consideration of this request is appreciated.

Sincerely,

BARBARA MATTHEWS, Assembly Member
Seventeenth 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 session on July 18, 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 Calderon and Strom-Martin on this day on legislative business pursuant to the Assembly Rules, see Assembly Daily Journal for July 17, 2002; for letter explaining the absence of Assembly Member 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 18, 2002

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

Dear Speaker Wesson: I am writing to inform you that while I did attend Floor Session this morning, July 18th, I would like to waive my per diem for today through Sunday, July 21st.

Please contact myself or Stacey Neese in my office at 319-2072 with any questions.

Thank you.

Sincerely,

LYNN DAUCHER, Assembly Member
 Seventy-second District

REPORTS

The following reports were presented by the Chief Clerk:

2000–2001 Motor Vehicle Prevention Act Annual Report
(Pursuant to Senate Bill 1743, Chapter 1248, Statutes of 1994)

Above transmitted report, together with letter of transmittal from D.O. Helmick, Commissioner, Department of California Highway Patrol, dated July 11, 2002, referred by the Speaker to the Committee on Transportation.

Toll Bridge Seismic Retrofit Program Annual Report
(Pursuant to Assembly Bill 1171, Chapter 907, Statutes of 2001)

Above transmitted report, together with letter of transmittal from Jeff Morales, Director, Department of Transportation, dated March 25, 2002, referred by the Speaker to the Committee on Transportation.

**Criminal Dispositions by Race of Defendant
(Pursuant to Penal Code Section 1170.45)**

Above transmitted report, together with letter of transmittal from William C. Vickrey, Administrative Director of the Courts, Judicial Council, dated June 20, 2002, referred by the Speaker to the Committee on Judiciary.

Merced County Attendance Project Final Evaluation Report

Above transmitted report, together with letter of transmittal from Rita Saenz, Director, Department of Social Services, dated April 30, 2002, referred by the Speaker to the Committee on Human Services.

**Transportation in California for Individuals Who No Longer Drive
(Pursuant to Senate Bill 335, Chapter 985, Statutes of 2000)**

Above transmitted report, together with letter of transmittal from Maria Contreras-Sweet, Secretary, Business, Transportation, and Housing Agency, dated April 30, 2002, referred by the Speaker to the Committee on Transportation.

**Renewable Energy Program Quarterly Report
April 2002 through June 2002
(Pursuant to Public Utilities Code, Article 5, Section 445(g))**

Above transmitted report, together with letter of transmittal from Robert Pernel, Commissioner and Presiding Member Efficiency Committee, California Energy Commission, dated July 15, 2002, referred by the Speaker to the Committee on Utilities and Commerce.

**Lands Acquired for Mitigation
(Pursuant to Water Code Section 8610)**

Above transmitted report, together with letter of transmittal from Peter D. Rabbon, General Manager, Reclamation Board, dated July 15, 2002, referred by the Speaker to the Committee on Water, Parks and Wildlife.

RESOLUTIONS

The following resolution was offered:

HOUSE RESOLUTION NO. 75—Alquist (Principal coauthors: Chu and Salinas). Relative to committee staffing for the 2011 redistricting plan.

REFERENCE OF BILLS TO COMMITTEE

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

Assembly Concurrent

| <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 229 ----- | Pub. S. |
| 230 ----- | Rls. |

Assembly Joint

| <i>Resolution No.</i> | <i>Committee</i> |
|-----------------------|------------------|
| 57 ----- | Pub. S. |

**AUTHOR'S AMENDMENTS
Committee on Appropriations**

July 18, 2002

Mr. Speaker: The Chair of your Committee on Appropriations reports:
Senate Bill No. 105

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

STEINBERG, Chairman

SENATE BILL NO. 105—An act to amend Section 11135 of the Government Code, to amend Sections 19050 and 19050.5 of, to add Section 19054 to, and to add Chapter 3 (commencing with Section 19095) to Part 1 of Division 10 of, the Welfare and Institutions Code, relating to human services.

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

REPORTS OF STANDING COMMITTEES

Committee on Rules

Date of Hearing: July 18, 2002

Mr. Speaker: Your Committee on Rules reports:

House Resolution No. 54

With amendments with the recommendation: Amend, and be adopted, as amended.

NATION, Chairman

Above resolution ordered on file.

ADJOURN IN MEMORY

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

(Assembly Rule 45.5 suspended.)

RECESS

By unanimous consent, at 9:22 a.m., Speaker pro Tempore Keeley declared the Assembly recessed to permit the introduction of special guests.

Assembly Member Wiggins introduced the following Members of the National Assembly of the Republic of Bulgaria:

Hon. Vladimir Donchev, Hon. Kasim Dal, Hon. Maria Anguelieva-Koleva, Hon. Valentin Miltenov, Hon. Ivo Tsanev, and Hon. Georgi Yurukov.

RECONVENED

At 9:24 a.m., the Assembly reconvened.

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

REQUEST FOR UNANIMOUS CONSENT TO PRINT IN JOURNAL

Assembly Member Wyman was granted unanimous consent that the following communication be printed in the Journal:

July 17, 2002

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

Dear Mr. Speaker,

On July 11, 2002, I received from Legislative Analyst Elizabeth G. Hill an updated five-year General Fund projection. I am deeply concerned about her projections as they make it very clear this Legislature has yet to come up with a fiscally responsible, balanced budget.

Specifically, the Legislative Analyst Office estimates that under the 2002–03 Budget Act, “annual operating shortfalls would increase by roughly \$2 billion per year relative to the May Revision.” This, according to the LAO, “largely reflects the restoration by the Legislature of ongoing spending reductions proposed by the Governor in the areas of health, social services, and local government.”

According to the LAO report:

. . . annual shortfalls would grow from \$9.8 billion in 2003–04 to \$12.3 billion in 2004–05, before declining in subsequent years to \$8.7 billion by 2007–08.

Put simply, California will—through fiscal year 2007–08—have a total operating deficit of \$51.6 billion. The chart below, taken from the LAO report, shows the annual operating deficit over the next six budget periods if the current 2002–03 Budget Act is adopted.

Projected AB 425 Revenues, Expenditures, and Operating Balances*

(In Billions)

| | 2002–03 | 2003–04 | 2004–05 | 2005–06 | 2006–07 | 2007–08 |
|------------------------------|--------------|---------------|----------------|----------------|---------------|---------------|
| Revenues | \$79.2 | \$77.5 | \$82.3 | \$89.1 | \$96.2 | \$102.7 |
| Expenditures | 76.9 | 87.2 | 94.6 | 100.2 | 105.8 | 111.4 |
| Annual Operating Cost | \$2.3 | -\$9.8 | -\$12.3 | -\$11.2 | -\$9.6 | -\$8.7 |

*Detail may not total due to rounding.

According to the LAO:

The large operating shortfalls that occur under the May Revision and AB 425 reflect the large amount of one-time or limited-term solutions used to cover the budget shortfall in 2002–03. Examples include the securitization of tobacco settlement receipts (one-year benefit), loans from transportation funds (one-year benefit), the one-year increase in the vehicle license fee, the two-year suspension of the net operating loss deduction for businesses, and the two-year deferral of debt-service payments related to the Treasurer’s debt restructuring plan.

The LAO further stated that there are approximately \$600 million in loans “for which no specific repayment dates were established. These other loans could further add to out-year pressures both under the May Revision and under AB 425.”

Clearly, the Legislature needs to craft real solutions to the structural budget identified by the Legislative Analyst.

Sincerely,

PHIL WYMAN, Assembly Member
Thirty-fourth District

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

SENATE BILL NO. 1863 (Bowen)—An act to amend Section 709 of, and to add Section 884 to, the Public Utilities Code, relating to public utilities.

Bill read third time.

Motion to Amend

Assembly Member Reyes moved the adoption of amendments.

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

SENATE BILL NO. 1914 (Committee on Insurance)—An act to add and repeal Section 130311.5 of the Health and Safety Code, relating to health.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 1914 to the Committee on Appropriations.

**CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)**

SENATE BILL NO. 842 (Speier)—An act to add Sections 130060.5, 130060.7, 130062, 130062.3, 130062.5, and 130062.9 to the Health and Safety Code, relating to seismic safety, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Assembly Member Frommer moved the adoption of amendments.

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

**RE-REFERENCE OF BILLS TO COMMITTEE PURSUANT TO
ASSEMBLY RULE 77.2**

Pursuant to Assembly Rule 77.2, the Speaker pro Tempore re-referred Senate Bill No. 842 to the Committee on Health.

**CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS**

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.

At 9:45 a.m., Speaker Wesson, 47th District, presiding

SPECIAL CEREMONY HONORING RETIRING MEMBERS

At 9:45 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. 73

By Assembly Member Wesson

Relative to commending the Honorable David G. Kelley.

WHEREAS, The tenure of the Honorable David G. Kelley with the California State Assembly is drawing to a close following a total of 24 years in 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, Assembly Member David Kelley was elected to the California State Assembly in 2000 to represent the 80th Assembly District; prior to that, he served eight years in the California State Senate and, prior to term limits, served 14 years in the Assembly, where he was first elected in 1978; and

WHEREAS, Dave Kelley is known in both the Assembly and the Senate as one of the state's most knowledgeable and key water leaders, including fresh water, water conservation, water reclamation, water planning, and water transfers; and

WHEREAS, To that end, and with regard to fresh water, he was key to the success of the San Diego County Water Authority (SDCWA), Imperial Irrigation District (IID), and Metropolitan Water District of Southern California agreement on the transfer of agricultural water from IID to SDCWA, and by virtue of introducing and seeing signed into law his Senate Bill 1082 in 1997, he became the father of

California's 4.4 Plan, which will reduce Southern California's dependence on the Colorado River without leading to a net loss of water; and

WHEREAS, In the arena of water conservation, he carried legislation that established water efficiency standards for commercial washing machines, advocated the use of "reclaimed" or "recycled" water throughout the state, created an office within the Department of Water Resources to deal with water reclamation and the promotion of the use of reclaimed water statewide, and worked tirelessly for several years with former Legislator and Judge, Gordon Cologne, on this unique issue of reusing water and saving our precious drinking water; and

WHEREAS, Assembly Member Kelley was instrumental in having signed into law legislation relating to geothermal energy and other alternative energy sources, and in the arena of environmental resource protection, he established the Salton Sea Authority, an entity designed to manage and protect the resources of the Salton Sea, which is located totally within his district; and

WHEREAS, In 1993 Senator Kelley was appointed by the Senate Rules Committee to serve as a member of the Library Construction and Renovation Bond Act Board, in which capacity he obtained bond moneys to build much-needed libraries in Cathedral City and Rancho Bernardo; and

WHEREAS, Over a three-year period, Senator Kelley obtained enough moneys through the Budget Bills to build a park that was sorely needed to assist the at-risk youth of Calexico, a poor community in Imperial County; and

WHEREAS, He carried legislation and worked directly with CalTrans from the time he was first elected until 2001 to get improvements on Highway 86, a roadway named "The Killer Highway," and he was successful in turning a dangerous two-lane road into a four-lane highway through two counties in his district; and

WHEREAS, He secured funding for the University of California's Exotic Pest Research Facility at the University of California, Riverside, carried and supported many pieces of legislation dealing with the myriad of issues surrounding California's agricultural interests, including water, pesticides, integrated pest management, taxes on farm implements, and the Williamson Act, and introduced legislation that was signed into law that created "California Gold," the royalty fees from which go to the State General Fund, and legislation that established sisterhood status between California and Baja California, Mexico; and

WHEREAS, In 1996 Senator Kelley was appointed by the Senate Rules Committee to Chair a Senate Working Group for the Proposed Western Center on Archaeology and Paleontology, a research and teaching facility suggested for construction at the Domenigoni Valley Reservoir Site in Riverside County, and he worked relentlessly to secure funding to see a Western Center for Archaeology and Paleontology established; and

WHEREAS, Born and raised in Riverside County, Assembly Member Kelley graduated from California State Polytechnic University, San Luis Obispo, majoring in citrus fruit production, served during the Korean Conflict as a pilot in the United States Air Force, and

has been a successful citrus rancher for more than 40 years in the Hemet area, where he has been intensely involved in agricultural organizations and civic organizations; and

WHEREAS, Dave Kelley and his wife, Brigitte, are the parents of four grown children, Sharon Haupt, Bridget Kelley, Margi Valine, and Ken Kelley, and devoted grandparents of nine grandchildren; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 80th 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 David G. Kelley, 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. 73 by Unanimous Consent

Without objection, House Resolution No. 73 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 73—Relative to commending the Honorable David G. Kelley.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Leonard, Leslie, and Maldonado and without objection, by Hon. Bill Jones, Secretary of State.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Member Bates, Bill Campbell, Rod Pacheco, Papan, Wyland, and Pescetti as a Select Committee on Escort to escort Assembly Member David G. Kelley 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 Kelley then addressed the assemblage.

* * *

The following resolution was read:

House Resolution No. 66

By Assembly Member Wesson

Relative to commending the Honorable Dennis A. Cardoza.

WHEREAS, The Honorable Dennis A. Cardoza is drawing to a close his tenure with the California State Assembly 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, Elected in 1996 to the first of three very effective terms in the California State Assembly representing residents of the 26th District, Dennis Cardoza, as a freshman member of the Assembly, chaired the Agriculture Committee and, more recently, served as Chairman of the powerful Rules Committee; and

WHEREAS, He also was a member of the Budget and Governmental Organization Committees and Chair of the Select Committee on the Department of Motor Vehicles and Select Committee on the Development of the tenth campus of the University of California; and

WHEREAS, Assembly Member Cardoza helped forge the Moderate Caucus of Democrats, and he was honored by a wide group of Valley organizations for his efforts to cut taxes, help family farms, and promote education and safety issues for children; and

WHEREAS, He was twice named Legislator of the Year by the California Sheriff's Association, was honored by the University of California as Legislator of the Year for his work on behalf of the University of California, Merced, and was selected as the 2001 Legislator of the Year by the Small Business Roundtable and Small Business Association; and

WHEREAS, A champion of common-sense solutions to the challenges facing twenty-first century California, he authored the original Vehicle License Fee Reduction (VLF), one of the largest tax cuts ever to pass the Legislature, which has returned \$5 billion to California vehicle owners through significant and ongoing reductions of license fees; and

WHEREAS, He has been a strong and effective advocate for the families of men and women who served in our country's hour of need, and he has been a great friend of veterans of all conflicts and wars, working on their behalf as a member of the Governor's Commission on Veteran's Homes; and

WHEREAS, During his freshman term, Assembly Member Cardoza wasted no time in authoring urgency legislation to provide tax relief for people hard hit by the ruinous losses resulting from the devastating floods of 1997, and never forgetting his roots, he crafted many pieces of legislation to stimulate the local economy, and worked to ensure small communities in his district were not left out of the digital revolution; and

WHEREAS, Assembly Member Cardoza was untiring in his efforts to establish a University of California campus in the Central Valley, with branches already operating in Fresno, Bakersfield, and Modesto; and

WHEREAS, Despite his quick rise to a prominent position in the Assembly, Dennis Cardoza never forgot his agriculture roots; his grandparents emigrated from the Azores Islands of Portugal in the first part of the twentieth century to farm the rich Merced County soil, and the Cardoza family raised dairy cattle and grew sweet potatoes, almonds, watermelons, wheat, oats, and alfalfa; and

WHEREAS, Assembly Member Dennis Cardoza lives in Atwater with his wife, Dr. Kathleen McLoughlin, and their three children, Joey, Brittany Mari, and Elaina; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 26th 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 Dennis A. Cardoza, 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. 66 by Unanimous Consent

Without objection, House Resolution No. 66 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 66—Relative to commending the Honorable Dennis A. Cardoza.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Hertzberg, Dutra, and Negrete McLeod.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Shelley, Leonard, Bill Campbell, Cohn, and Wright as a Select Committee on Escort to escort Assembly Member Cardoza, and his wife, Dr. Kathleen McLoughlin, 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 Cardoza then addressed the assemblage.

* * *

The following resolution was read:

House Resolution No. 55

By Assembly Member Wesson

Relative to commending the Honorable Sally M. Havice.

WHEREAS, The tenure of the Honorable Sally M. Havice 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, First elected to the California State Assembly in 1996 to represent the 56th District, Sally M. Havice brought with her to the Assembly the experience she obtained as a member of the ABC Unified School District Board of Education, where she served as President, and with experience in municipal government, private industry, and education; and

WHEREAS, While in the Assembly, she focused her attention on school safety and quality of life issues; and

WHEREAS, She authored Assembly Bill 1756, which was signed into law by Governor Pete Wilson, establishing a statewide grant program to pay for community policing and mentoring on school campuses, and she recently worked to secure passage of Assembly Bill 1390, giving schools the tools they need to reduce bullying on campus; and

WHEREAS, On quality of life issues, she authored Assembly Bill 1355, which created the largest urban nature conservancy in California, and this conservancy, and millions of dollars in budget items she carried in four state budgets, will bring more parks and green space to the region; and

WHEREAS, Assembly Member Havice provided stellar leadership as Chair of the Assembly Public Employees, Retirement and Social Security Committee and the Assembly Select Committee on School

Safety and as a member of the Assembly Higher Education Committee, Insurance Committee, Transportation Committee, and Select Committee on California Ports; and

WHEREAS, Assembly Member Havice grew up in the Cerritos/Norwalk area and attended local schools, and after business college, she went to work in the private sector and later was city council secretary at Norwalk City Hall and the City of Santa Fe Springs; and

WHEREAS, While working she enrolled at Cerritos College, where she earned two Associate in Arts degrees, and she then went on to graduate cum laude from California State University, Long Beach (CSULB), with a Bachelor's degree in English and a Master's degree in Linguistics, and while a student at CSULB, she worked as a department secretary and as an administrative assistant; and

WHEREAS, She taught English composition and literature at Cerritos College for 23 years, during which time she distinguished herself as the Interim Assistant Dean of Liberal Arts and as Community Liaison for Cultural Performing Arts, and her work on campus included service as an officer on the Cerritos College Faculty Association and a member of the Faculty Senate where she was elected outstanding faculty senator by her peers; and

WHEREAS, Assembly Member Havice has been actively involved in the community as a member of the Chambers of Commerce of Artesia, Bellflower, Cerritos, Downey, Hawaiian Gardens, Lakewood, and Long Beach, an active member of the Artesia, Downey, and Bellflower Historical Societies, Downey Art League, Downey Symphony Guild, Bellflower, Artesia, and Downey Friends of the Library, and Friends of the Downey Art Museum; and

WHEREAS, She also has been affiliated with a number of anti-crime organizations, and a partial list of additional organizations in which she has been active are the American Association of University Women, Advocacy Coalition of Long Beach, Cerritos College Faculty Association, Disabled Resource Center of Long Beach, Pilipino American Alliance, Latina Leadership Network, LULAC, Optimist International, Sierra Club, Southeast ROP, and Southeast Norwalk Little League; and

WHEREAS, Sally Havice is the proud mother of three sons, Edward, a physician; Raul, a police officer; and Joseph, a computer scientist, and she is the devoted grandmother of nine grandchildren; and

WHEREAS, Through her public service activities she has made a significant impact on the people of the 56th 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 Sally M. Havice, 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. 55 by Unanimous Consent

Without objection, House Resolution No. 55 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 55—Relative to commending the Honorable Sally M. Havice.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Reyes, Robert Pacheco, and Wayne.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Negrete McLeod, Florez, Horton, Salinas, Washington, and Wright as a Select Committee on Escort to escort Assembly Member Havice and her 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 Havice then addressed the assemblage.

* * *

The following resolution was read:

House Resolution No. 60

By Assembly Member Wesson

Relative to commending the Honorable Roderick D. Wright.

WHEREAS, The tenure of the Honorable Roderick D. Wright 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, Elected to the California State Assembly in 1996, reelected two years later, and in November 2000 reelected again with more than 94 percent of the total vote, Assembly Member Roderick Wright represents the people of the 48th Assembly District, consisting of South Central Los Angeles; and

WHEREAS, Assembly Member Wright has brought distinction to himself as Chair of the Utilities and Commerce Committee, Committee on Energy Costs & Availability, Legislative Black Caucus, and Select Committee on Exposition Park, and as a member of the Appropriations Committee, Budget Committee, Budget Subcommittee No. 4: State Administration, Governmental Organization Committee, Select Committees on California Wine, Highway Patrol, California Horse Racing, Jobs-Housing Balance, and Rural Economic Development, the Joint Committee on Preparing California for the 21st Century, Joint Legislative Budget Committee, Joint Task Force on Workforce Investment, and Labor, Taxation and Economic Development Work Group; and

WHEREAS, During his time in Sacramento, Assembly Member Wright has compiled an impressive and far-reaching legislative record, including closing loopholes in the state's sex offender registration

statute, targeting automobile insurance fraud, and passing the most comprehensive small business regulatory reform in a decade; and

WHEREAS, He also successfully fought to preserve an energy assistance program for low-income residents, was author of a bill providing \$25 million in state funds to create neighborhood youth recreation centers, and wrote the nation's first law to require geriatric training for medical students; and

WHEREAS, As Chair of the important Committee on Utilities and Commerce, he wrote legislation to protect the state's electricity and natural gas customers from the massive rate hikes that occurred in some other parts of the state, and in a related area, it was his bill that ensured that utility customers could not be switched to another service provider without their permission; and

WHEREAS, He also was a strong backer of legislation to provide a stable-funding base for programs that provide assistance for low-income customers and senior citizens; and

WHEREAS, Assembly Member Wright supported efforts to restrict prosecution under the state's Three Strikes Law to apply only to violent offenders, and further, in the 1999–2000 legislative session alone, he was successful in strengthening consumers' rights, child support, and seniors' rights issues; and

WHEREAS, He led the effort to work with the Governor to improve the quality of life for African-Americans and other people of color, championed the drive to have more people of color appointed to the Governor's administration, and strengthened protections for senior citizens against dishonest home-contracting and related property improvement fraud; and

WHEREAS, Assembly Member Wright raised awareness of black history with Black History Month programs and concerts; one program on the Port Chicago Disaster led to a presidential pardon for Freddie Meeks of Los Angeles; and

WHEREAS, He has recognized high school athletes through the California Interscholastic Federation yearly track and field championships, and recognized every valedictorian and salutatorian in the 48th Assembly District with a yearly honors luncheon, including adult schools; and

WHEREAS, Prior to seeking elective office, Assembly Member Wright enjoyed a distinguished record of public service spanning more than two decades, serving as a district administrator for Congresswoman Maxine Waters, a field deputy for members of the Los Angeles City Council, and a speechwriter for the Reverend Jesse Jackson; and

WHEREAS, Born in Chicago, Illinois, and raised in Los Angeles, Roderick Wright was senior class president and a three-time All-City track star at Washington High School, and he was student body president at Pepperdine University, where he earned a Bachelor of Arts degree in urban studies; and

WHEREAS, Assembly Member Wright is a South Central Los Angeles homeowner and father of two daughters, and he is an active member of Ward African Methodist Episcopal Church; and

WHEREAS, Through his public service activities he has made a significant impact on the people of the 48th 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 Roderick D. Wright, 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. 60 by Unanimous Consent

Without objection, House Resolution No. 60 was taken up, without reference to committee or file.

HOUSE RESOLUTION NO. 60—Relative to commending the Honorable Roderick D. Wright.

Resolution read and adopted unanimously.

Best Wishes Expressed

Farewell remarks and best wishes were offered by Assembly Members Bill Campbell, Longville, and Papan.

Select Committee on Escort Appointed

Speaker Wesson appointed Assembly Members Canciamilla, Nakano, Pescetti, Reyes, Richman, and Wiggins as a Select Committee on Escort to escort Assembly Member Wright and his 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 he departs the California State Assembly.

Assembly Member Wright then addressed the assemblage.

* * *

At 12:30 p.m., Speaker pro Tempore Keeley, 27th District, presiding

REQUEST TO GOVERNOR TO RETURN ASSEMBLY BILL NO. 3030

Upon request of Assembly Member Firebaugh, Assembly Member Corbett was granted unanimous consent that the Chief Clerk be directed to request the Governor to return Assembly Bill No. 3030; and that the action be rescinded whereby the bill was reported correctly enrolled and presented to the Governor on July 8, 2002 (Assembly Journal, page 7211); and whereby on June 30, 2002 (Assembly Journal, page 7103), the Assembly concurred in Senate amendments and ordered the bill enrolled; and that the bill be returned to the Senate for further action.

ADJOURN IN MEMORY

Speaker Wesson was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Emiel Neal, of Los Angeles.

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 Alberta Norris, of Lake Isabella.

Assembly Member Frommer was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Malissa Roos, of Indian Wells.

Assembly Member Mountjoy was granted unanimous consent that when the Assembly adjourns on this day it do so out of respect to the memory of Richard Mandroian, of Bradbury.

ANNOUNCEMENTS

Speaker pro Tempore Keeley announced the following schedule:

Friday, July 19—Floor session upon Call of the Speaker;
Saturday, July 20—Floor session upon Call of the Speaker;
Sunday, July 21—Floor session upon Call of the Speaker;
Monday, July 22—Floor session, 4 p.m.

MOTION TO ADJOURN

At 12:30 p.m., Assembly Member Nation moved that the Assembly do now adjourn.

Assembly Member Hollingsworth seconded the motion.

REMARKS ON CONDITION OF THE FILE

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

FURTHER CONSIDERATION OF MOTION TO ADJOURN

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

Motion carried.

QUORUM CALL OF THE ASSEMBLY DISPENSED WITH

At 12:31 p.m., Speaker pro Tempore Keeley declared the quorum call of the Assembly dispensed with.

INTRODUCTION OF GUESTS

Speaker pro Tempore Keeley introduced Hon. Bill Jones, Secretary of State and former Member of the Assembly.

Assembly Member Leslie, of the 5th Assembly District, introduced Dr. Steve Adams and students from Tahoe Community College.

Assembly Member Wright, of the 48th Assembly District, introduced Ella Neely; his daughter, McKenzie Wright; and Lawrence Tolliver.

Assembly Member Havice, of the 56th Assembly District, introduced her mother, Sally Castro, her sister, Stella Munoz, and her son, Dr. Edward Morales.

Assembly Member Cardoza, of the 26th Assembly District, introduced his wife Dr. Kathleen McLoughlin and their children, Joey, Brittany Mari, and Elaina.

ADJOURNMENT

At 3 p.m., pursuant to the motion by Assembly Member Nation, the Assembly adjourned until 4 p.m., Monday, July 22, 2002, or upon Call of the Speaker, out of respect to the memory of Emiel Neal, on motion of Speaker Wesson; out of respect to the memory of Alberta Norris, on motion of Assembly Member Ashburn; out of respect to the memory of Malissa Roos, on motion of Assembly Member Frommer; out of respect to the memory of Richard Mandroian, on motion of Assembly Member Mountjoy; and out of respect to the memory of Bret Harris, on the motion of Assembly Member Wayne.

HERB J. WESSON, JR., Speaker

PAM CAVILEER, Minute Clerk

**AMENDMENTS CONSIDERED BY THE
ASSEMBLY ON JULY 18, 2002**

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

| SB | RN |
|-----------|-----------|
| 105 | 0214584 |
| 842 | 0214496 |
| 1863 | 0214456 |
| 1914 | 0214428 |

| | |
|--------------------------|-------------|
| Daily Total: | 4 |
| Cumulative Total: | 5818 |

O